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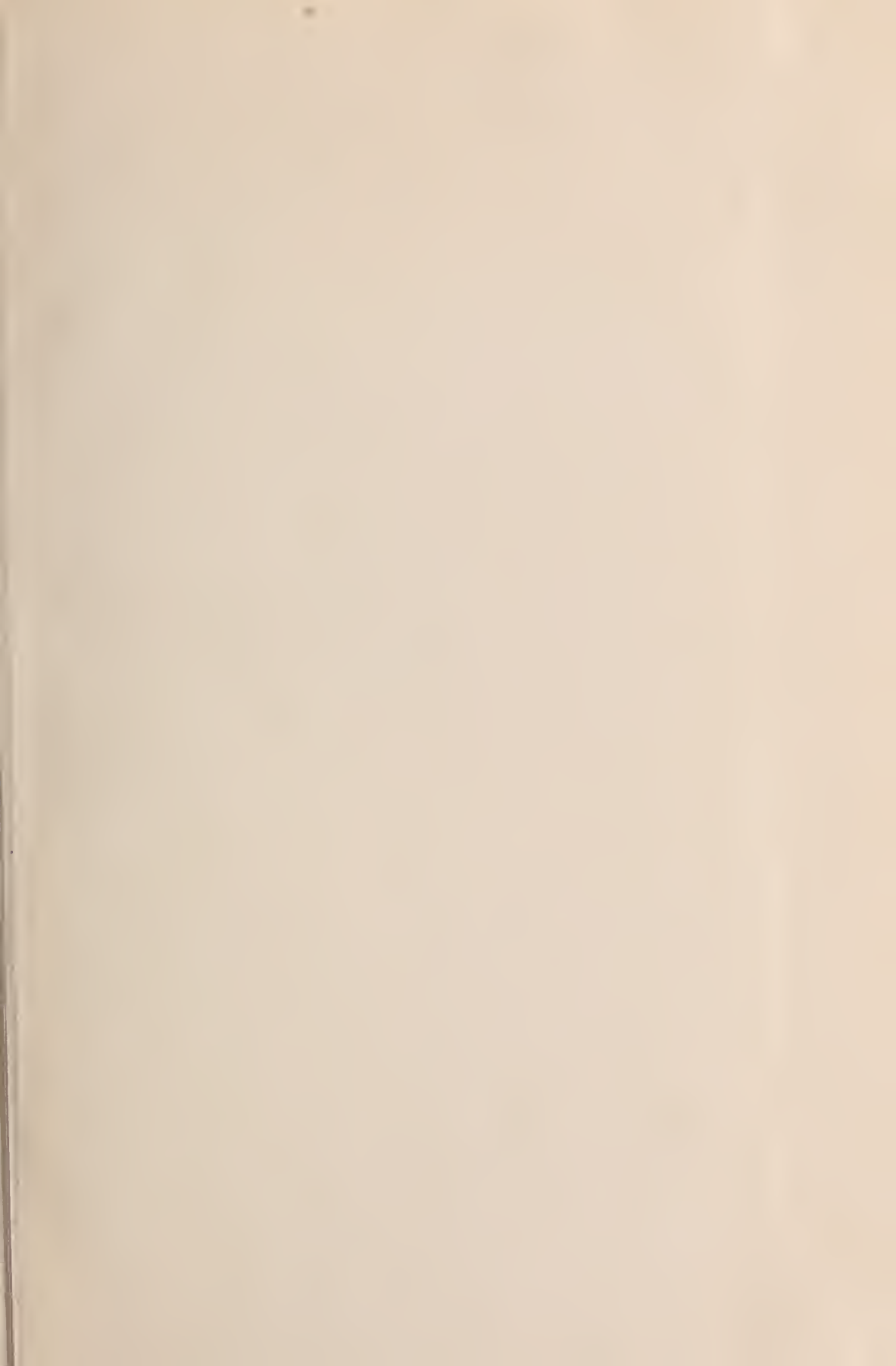


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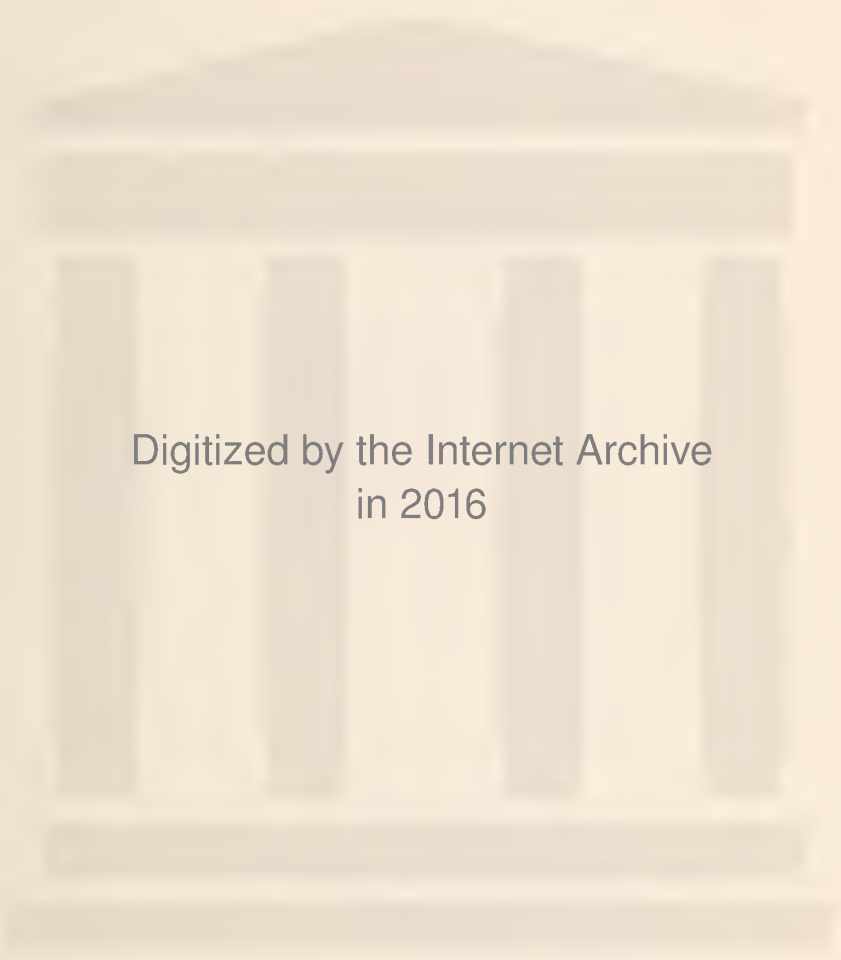
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SIAM'S CASE

FOR

REVISION OF OBSOLETE TREATY OBLIGATIONS



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SIAM'S CASE
FOR
REVISION OF OBSOLETE TREATY OBLIGATIONS
ADMITTEDLY INAPPLICABLE
TO PRESENT CONDITIONS

prepared by
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Former Acting General-Adviser
to H. S. M.'s Government

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I.

On the twenty-second day of July, 1917, Siam went to war with the German Empire and its ally, Austria-Hungary. Long previously in sympathy with the Allied cause her declaration might have come much sooner had it not first been necessary to safeguard herself internally against numerous enemy aliens resident within her borders, and to find substitutes for essential technical men of enemy nationalities that were in her service. Once that was accomplished, her energies and resources were at the disposal of the cause of justice.

Siam thus chose to fight (to quote from the official Communiqué of that date) "not for selfish aims, but for International Rights and for the good of the world in general." She conceived it her "duty" (Royal Proclamation of that date) "as one of the members of the Family of Nations, to uphold the sanctity of International Rights". As she interpreted the purposes of her Allies (Royal Proclamation issued on the Anniversary of Siam's Declaration of War) "their object in carrying on this war is to uphold the independence of small nations and to maintain good relations between all nations whether weak or strong, in order that each may be able to pursue its own path of progress and the weak nations be free from all oppression on the part of the strong." With such a cause to fight for, there could be but one course for her.

Yet the war had not touched Siam. Half a world still intervened between herself and Germany. Moreover, she was small and defenseless, while Germany was strong, as yet unconquered, merciless. A safer course

than the one she chose was open to her. But she did not hesitate. To appreciate how strong was her sense of duty, how free from every admixture of self-interest or self-seeking, we must revert to the circumstances of that summer, to a Germany still victorious in the East, Russia crumbling fast, a draw on the Western front. That the Allies would eventually triumph, or even that the issue might be drawn, was at that time none too certain. It required courage to fight for justice then, with all the implications of what defeat at the hands of Germany must surely mean.

Siam might have stipulated ^{before joining the Allies,} for advantages as Turkey did before allying herself with Germany, ~~and~~ ^{and} ~~as other nations did,~~ but, convinced that the cause was just, she came in unconditionally, pledged to do her utmost, without stint of men or resources insofar as she had them to give. She asked no favors, she asked no material advantage. Although she might have driven a bargain with those who sought her aid, she pledged herself without reserve to the cause of the Allies and of right.

A small nation, without industrial resources, it was not to be expected that she could offer much besides her moral support. Moral support she did give the Allied cause, unimpeachable evidence of the fact that there was at least one small nation ready to believe in the Allied championship of high ideals. But the direct material assistance which she offered bulked far larger than could reasonably have been expected. This is what she did:

First: All German ships in Siamese waters (aggregating about 18,000 tons) were seized and handed over to

her Allies at the nominal rate of fifteen shillings per ton per month. This, in view of the then prevailing tonnage rates, was almost like making a present of them.

Second: All enemy subjects were immediately arrested and interned, and all enemy firms wound up, thus doing away at one stroke with the possibility of further plotting or intrigue in that part of the world against either the British Government in India or that of France in Indo-China. This helped to preserve the peace and made it safe to release from police duty in the East armed forces of Great Britain and of France for more vital service on the Western front.

Third: An Expeditionary Force, consisting of an Aviation Corps, an Automobile Corps and a Sanitary Corps, was sent to France, where it took part in operations side by side with the Allied forces.

Fourth: Siam's large food surplus was thenceforth unreservedly at the disposal of her Allies, for such use as they might think wise to make of it.

Fifth: Siam held and still holds herself at all times ready to render such other assistance within her power as may seem necessary if called upon to do so by her Allies.

Siam did all she could. On her war record, she is glad and proud that she was able to do so much.

The war is now won—Siam's faith is justified. And out of the ruins is arising what had long been foreshadowed as the next inevitable step of progress—the League of Nations. In this League lies implicit the great purposes for which the Allies fought. That Siam should approve its erection is inevitable. She has for many years

identified herself with and shown her eagerness to coöperate in every international movement of a progressive character, the International Hague Conferences, the International Red Cross, the Postal Union, the Parcel-Post Convention, the International Commission for the Protection of Industrial Property, the International Maritime Conferences, the International Prisons Congress, the International Navigation Conference, the Telegraphic Conferences, and others. As Siam coöperated then, she stands ready to coöperate now in their ultimate fruition.

If the coöperation aimed at by the League is to be secured, as stated in the preamble of the Covenant as proposed, "by the maintenance of justice" and "by the prescription of open, just and honorable relations between nations", it is obligatory upon Siam to lay before her Allies, in conference assembled, a problem the equitable solution of which will help solidify the League and crystallize its spirit. There is at present in existence a set of Treaties entered into by Siam with most of the leading European countries, as well as with the United States, the terms of which have become admittedly "inapplicable" (to quote the language of the Covenant) to present day conditions. These Treaties in brief provide, with only slight modifications (1) for the substitution, for foreigners, of the law and courts of their country in place of Siamese law, to wit, extritoriality, and (2) for the limitation of Siam's taxing power by prohibitions upon the scope of such power in reference to foreigners, and more specifically in reference to foreign trade.

These treaties have caused concern for many years. They have frequently come up for discussion between Siam and the Powers of Europe, and progress has already

been made towards restoration of that fuller sovereignty which they so grievously impair. But while the great Powers have been quick to see the injustice of such an invasion of Siam's rights and each has been ready to coöperate if the others would, the situation has bristled with difficulties which until now it has not been possible to overcome.

Happily this is now changed. A League of Nations is at its birth, a League which breathes the spirit of justice and of fair dealing among the nations of the earth, a League which calls for "reconsideration by states, members of the League, of Treaties which have become inapplicable". If reconsideration of inapplicable Treaty obligations is desirable once the League is under way, is it not essential upon the threshold of the League's existence when the obligations in question are actually inequitable?

If the League expresses the spirit in which Siam's problem must be approached, the Paris gathering of the nations provides the occasion, never before realized, for harmonization of the Treaties with the purposes for which the war was fought and with the spirit of the covenant. First, as to her Treaties with her enemies, the war has, of course, destroyed all Siam's onerous obligations to the enemy powers. It is inconceivable that Germany should ever hereafter profit at Siam's expense. Such needless generosity to the vanquished is unthinkable. The intolerable injustice to Siam need not be stressed.

Putting these Treaties in the scrap-heap then, as relics of an obsolete past, of Germany's dead dream of world empire, the way is clear for joint revision of her

other Treaties along lines which the great Powers have already in principle accepted, but which up to the present have been impossible of any, save imperfect, realization, because of the difficulty of even securing that prime requisite—joint action of the Powers. In cases where Treaties were reconsidered in accordance with the binding clauses providing for revision which many of them contained, the almost universal presence of a favored-nation clause made largely nugatory any such separate attempt at revision. The action of one power depended upon that of another and so on all along the line. But now all that is changed. The Powers are in concert and ripe for joint co-operative action.

Convinced, therefore, of the justice of her cause, and of the propriety and expediency of utilizing the present moment for an earnest and urgent presentation of her needs, with confidence in the result, Siam presents her case to the free nations of the earth.

II.

THESE TREATIES SHOULD BE REVISED ON GROUNDS OF JUSTICE, SINCE THEY CONSTITUTE AN UNNECESSARY AND INTOLERABLE IMPAIRMENT OF THE SOVEREIGNTY OF A FREE AND INDEPENDENT NATION WHICH STAKED ALL IN THE FIGHT FOR JUSTICE AND FOR COMMON HUMANITY. UNJUST DISCRIMINATION AGAINST ITS PEOPLE HAS BEEN THE RESULT. THIS HAS LONG SINCE BEEN ADMITTED BY ALL THE GREAT POWERS NOW IN PARIS, AND THE NECESSITY FOR SWEEPING REVISION EMPHATICALLY RECOGNIZED.

A. THE PROPRIETY OF TREATY REVISION HAS BEEN
ADMITTED BY THE POWERS.

For evidence of this we need only turn to the history of Siam's relations with the European Powers.

1. *First, as to Exterritoriality.*

The first treaty of importance between Siam and any European country was entered into with Great Britain in 1826. From this time may be said to date the entry of Siam into modern international politics. The treaty is significant not so much because it was the first one of its sort as because of the enlightened provisions which it contained. There was in this treaty no suggestion of invasion of Siam's sovereignty, rather on the contrary was it provided that "the Siamese shall settle every matter within the Siamese boundaries according to their own will and customs", and that "English subjects who visit a Siamese country must conduct themselves according to the established Laws of the Siamese country, in every particular". Thus her earliest relations with a foreign power were

happy ones. This treaty was followed (in 1833) by one with the United States, cementing friendship between the two nations as between equals.

Up to this point Siam's position was recognizedly what it should be to-day. But there came a change, ushered in by another treaty with Great Britain (dated 1855-56) curtailing her sovereignty to the extent that citizens of Great Britain were for the most part taken from under her jurisdiction and made subject to the laws of their native land as administered by the consul and his aides. Cases where both parties, or the defendant, were Siamese remained as formerly under Siamese jurisdiction. But cases where both parties or the defendant were British were put under British Consular jurisdiction. And even in the Siamese Courts, where a British citizen was plaintiff the consul might attend or receive copies of the proceedings. Subsequent treaties providing for a similar system or for a scheme of joint Siamese and foreign consular jurisdiction were entered into with all the great Powers,—with France (incorporating harsher terms), with Italy, Japan, the United States, Portugal, Belgium, Russia, The Netherlands, Spain, Sweden, Norway, Denmark, Germany and Austria-Hungary. Thus Siam was definitely deprived of one of the most precious attributes of sovereign power, the right to administer even-handed justice to all throughout her domains.

In these early days Siam's commercial relations with the western world were in their infancy. It is not hard to understand that nations of a civilization springing from roots so remote from hers guarded themselves and their peoples in the way they did from the possible risks of laws and customs which they were then unable

to understand. Geographically, too, Siam lay in the same continent with China and with most of Turkey with which the occidental world had been longer in contact and where many of the customs were then barbarous in the extreme. But with Siam's rapid advance on the road of progress, these provisions originally intended perhaps to simplify her relations with other countries became vexatious obstacles to progress.

Her later history has been one continual struggle to recover what was thus taken from her. It was Great Britain again who took the lead in restoring what she had been the first to destroy. In 1883 another treaty provided for the restoration of Siamese sovereignty over British subjects in the three northern provinces of Lakon, Lamphoonchi and Chiengmai (and various minor provinces subsequently annexed thereto) through the agency of so-called International Courts. But even here, in these courts, which in spite of their title were strictly Siamese, the British Consul had the right to be present at the trial, to receive copies of the proceedings, to make suggestions to the judges, and at any time before judgment, in a case where both parties or the defendant were British citizens, to evoke the case, that is to say, to order its transference to the regular British Consular Court (the so-called right of evocation). This partial restoration of Siam's sovereignty in the northern provinces was extended by subsequent treaties to include the citizens of Italy, France and Denmark. And by later treaties with all the great European powers, the early system of joint jurisdiction was done away with.

Another advance along these lines was made in 1907 when France by treaty agreed to restore to the sov-

ereignty of these so-called International Courts all French Asiatic subjects throughout Siam registered as such at the French Consulate previous to March 23rd, 1907 (or resident in the Provinces of Udorn and Isarn, regardless of their date of registry). This extended the International Court system throughout Siam, including the special consular privileges described above. But France was willing to do more than this. It was agreed that upon the promulgation of the Siamese Codes the jurisdiction of these international courts should be transferred to the ordinary Siamese Courts, and that the Consul's right of evocation should cease in each case upon the promulgation of the Code applicable thereto. Moreover, full sovereignty was restored to Siam over all other French Asiatic subjects, *i. e.* those (not resident in the Provinces of Udorn and Isarn) registered subsequent to March 23rd, 1907. As to this class of foreigners therefore Siam is back where she was in 1826.

In 1909 came another long step forward when Great Britain agreed (by Treaty of that date) to submit all her citizens throughout Siam who had been registered at the British Consulate before March 10th, 1909, to the jurisdiction of the International Courts, and all those registered subsequent to that date to the jurisdiction of the ordinary Siamese Courts. While the Consul still preserved his right of evocation from the International Courts, it was provided as in the French Treaty that such right should cease upon the promulgation of the appropriate Siamese Code. And upon completion of the set of Codes, the jurisdiction of the International Courts should be taken over by the ordinary Siamese Courts. These important conditions were also imposed:

“In all cases whether in the International Courts or in the ordinary Siamese Courts, in which a British subject is defendant, or accused, a European legal adviser shall sit as a judge in the Court of First Instance.

“In cases in which a British born or naturalized subject, not of Asiatic descent may be a party, a European adviser shall sit as judge in the Court of First Instance, and where such British subject is defendant or accused, the opinion of the adviser shall prevail:

* * * * *

“The judgment on appeal from either the International Courts or the ordinary Siamese Courts [in each case the Siamese Court of Appeals at Bangkok] shall bear the signature of two European judges.”

A Treaty making similar provisions was entered into in 1913 between Denmark and Siam.

In 1916 the Russian Government, upon its own initiative, entered into negotiations for the same sort of treaty, but the Revolution in that country cut the matter short.

The situation stands at present thus: Throughout Siam, [with the exception of Italian citizens and non-Asiatic citizens of France, in the provinces of Lam-poonchi, Lakou, and Chiengmai, enlarged], in cases between citizens of the same foreign country or in which the following citizens are defendants,—*i. e.*, the non-Asiatic citizens of France, the citizens of the United States, of Italy, Japan, Portugal, Belgium, Russia, The Netherlands, Spain, Sweden and Norway,—justice is administered in each case in their own courts, by their own Consuls, and according to their own laws, nor is any Treaty provision

made by any of these countries (save France and Japan) for any change in the present status or method of administration of justice. Citizens of Italy and of France (non-Asiatic) who reside in the Provinces of Lakon, Lampoonchi and Chiengmai (enlarged) as well as Asiatic French citizens throughout Siam registered at the French Consulate previous to March 23rd, 1907 (and those resident in the Provinces of Udorn and Isarn regardless of their date of registry) and British and Danish citizens throughout Siam, registered at their respective Consulates before March 10, 1909, and July 12, 1913, respectively, come under the jurisdiction of the International Courts, to which are attached the regular Consular privileges, including right of evocation. Japan, France, Great Britain and Denmark have each explicitly promised to modify this method of administration upon promulgation of the Siamese Codes, the right of evocation to cease upon promulgation of the appropriate Code, jurisdiction to be transferred bodily to the Siamese Courts upon promulgation of the Codes in their entirety. The British and the Danish treaties further provide that in all cases to which their non-Asiatic citizens are parties, or where their Asiatic citizens are defendants, whether in the International or the Siamese Courts, a European legal adviser shall sit as judge; that where their non-Asiatic citizens are defendants the opinion of the adviser shall prevail; and, by French treaty as well, that all judgments on appeal shall bear the signature of two European judges. Of the remaining classes of foreigners, French Asiatic citizens (not residents of Udorn or Isarn) registered at their Consulate subsequent to March 23rd, 1907, come under the jurisdiction of the ordinary Siamese

Courts, as do British and Danish citizens registered subsequent to March 10th, 1909, and July 12, 1913, respectively, subject to the above limitations.

We will not now discuss the injustice of imposing upon Siam this complicated piece of judicial machinery. Our interest at this point is in seeing that modifications have already actually been introduced, that every great power has acquiesced therein, and that the patchwork result is due to the necessarily piecemeal character of the changes introduced. By this method it might well be years before all the Powers could take effective action.

2. *As to Fiscal Limitations.*

Much the same situation confronts us when we study the history of Siam's taxing power. The early treaties, as in the case of her jurisdictional sovereignty, in no way infringed upon her fiscal sovereignty, (Treaty with Great Britain—1826, with United States—1833). It is stated in the Treaty of 1826 :

“Merchants * * * must pay the duty upon commerce according to the customs of the place or country on either side,”

“Merchants are forbidden to bring Opium which is positively a contraband article in the Territories of Siam; and should a merchant introduce any, the Governor shall seize, burn, and destroy the whole of it.”

But in 1855-56 the situation changed. By the terms of her Treaty with Great Britain of that date not only was opium, the former positive contraband, put on the free list, together with bullion and personal effects, but a limitation of three per cent. ad valorem was imposed

upon the duties chargeable upon all other importations, and even in cases of dispute as to the value of these goods, Siamese customs officials were deprived of the final voice, and required to call in the British Consul to aid them in reaching a decision. All exports were to be subject to but one duty, whether excise, inland transit, or export duty, and the rate for each article was definitely fixed (according to the then prevailing rates between Siam and China) by schedule attached to the treaty. Nor was this all. The tax upon land held by British citizens was limited to a certain schedule rate, and it was specifically stated that "no additional charge or tax *of any kind** may be imposed upon a British subject, unless it obtain the sanction both of the supreme Siamese authorities and the British Consul." In line with this provision, Siam was forbidden to impose charges for passports or even to collect any of the fines, penalties, etc., levied upon British subjects for infractions of the laws, with the sole exception of those levied for infringement of the liquor and opium regulations.

Similar treaties with only slight modification were entered into with France, the United States, Italy, Japan, Belgium, Portugal, Russia, The Netherlands, Spain, Sweden, Norway, Denmark, Germany, and Austria-Hungary.

But, as in the case of the invasion of her jurisdictional sovereignty, the Powers gradually saw fit to modify in certain respects the harsher features of these fiscal limitations. The first change came in respect to spirituous liquors, beer and wine (Treaty with Great Britain in

*Italics ours.

1883) and this was followed up by similar treaties with France, the United States, Italy, Japan, Belgium, Portugal, Russia, The Netherlands, Spain, Sweden, Norway, Denmark, Germany, and Austria-Hungary. Briefly these modifications of the original treaties provided that importations of spirituous liquors, beer and wine, should be subject to the same tax (in the case of beer or wine not to exceed ten per cent. ad valorem, or eight per cent. according to the French Treaty) as alcoholic beverages of similar strength manufactured in Siam. Where such importations were of greater alcoholic strength the tax should be proportionately higher, but never to exceed ten per cent. or in one case eight per cent. And it was specifically provided that these taxes were in substitution for and not in addition to the three per cent. import duty; and that no other tax of any sort be laid on liquors, wines or beer.

In 1887 Great Britain by Regulation placed her citizens under the jurisdiction of the Siamese laws regulating the manufacture, sale and use of opium. By these laws Siam had been long endeavoring to curb and control the opium traffic, and the penalties which she imposed for infraction of the rules were harsh.

There have been minor fiscal modifications since. In 1900 (by Treaty with Great Britain) the earlier British schedule of land tax rates was done away with, and in substitution it was provided that the tax upon land held by British citizens should never exceed the rate payable in Lower Burma.

The 1909 Treaty with Great Britain registered a great advance upon the earlier ones by wiping out completely this restriction upon land tax rates and providing for general taxation of British persons and property at the

same rates as those to which Siamese citizens might at any time be subject.

The situation stands at present thus: As to Siam's foreign trade with the following countries,—*i. e.*, Great Britain, France, the United States, Italy, Japan, Belgium, Portugal, Russia, The Netherlands, Spain, Sweden, Norway, and Denmark—(1) there is a free list comprising opium, bullion, personal effects (and food stuffs, in the case of France); (2) the duty on imports is limited to three per cent. *ad valorem* except in the case of spirituous liquors, beer and wine (limit ten, or eight per cent. in the case of France); (3) the tax on exports is limited to a single tax, whether it be excise, inland transit or duty, the amount of which was fixed in 1855 for each specific article, and which has never since been changed. The citizens of Great Britain and their property are subject to whatever taxes may at any time be levied upon Siamese citizens and property, but such taxation shall never be other or higher than the current Siamese taxation.

3. *Summary.*

The great powers have thus by their acts admitted the propriety of revision of these treaties. Ever since the promulgation of the original treaties invading Siam's sovereignty, there has been a continuous effort made to help restore her to her old position. In this effort every country has taken part. Not only is Siam's jurisdictional sovereignty in process of restoration, but even in regard to her fiscal sovereignty, where less progress has been made, the Powers have admitted the harshness of their

terms and have to some extent improved the situation in its more dangerous aspects.

Why is it then that they have admitted the propriety of revision? Because the above described system is inequitable as well as "inapplicable" to present-day conditions and because its further continuance constitutes such a grave injustice as Siam cannot believe the great Powers will for a moment tolerate once the matter is properly called to their attention.

B. THE ABOVE-DESCRIBED SYSTEM IS INAPPLICABLE TO
PRESENT-DAY CONDITIONS.

1. *First, as to Exterritoriality.*

(1) *It invades the sovereignty of Siam, a free nation.*

All free nations are supreme within their own territories and govern all who come therein according to the law of the land. Is Siam, late partner in the war for freedom, less than a free nation? Her capacity for self-government needs no demonstration. It is a mockery of freedom that this obsolete system should be fastened still upon her country.

(2) *It makes the administration of impartial justice difficult if not impossible.*

No country can administer justice with impartial hand which has within its borders some fifteen different sets of laws and as many bodies of citizens each one responsible to only one of these tribunals. No uniformity of law or justice can ever be assured by such a system. No self-respecting country would for a moment tolerate such a state of affairs within its borders if it could help itself. Why then must Siam?

(3) *It puts obstacles in the way of the maintenance of order, being a continual affront to Siam's dignity and a fruitful source of irritation.*

The multiplicity of foreign officials over whom Siam can have no control introduces a disturbing and an un-stabilizing element in the community. Misunderstandings are inevitable between Siamese officials and these foreigners of an alien civilization no matter how well disposed to one another they may be. And in the execution of their duty Siamese officials must often be thwarted by those of dubious citizenship. These possibilities arise from the basic fact that Siam is not master in her house.

(4) *It is expensive—involving as it does the maintenance of European judges and advisers.*

The salaries of European officials are always higher than those of the corresponding Siamese officials. The presence of this system therefore in the International Courts, as called for by the British and the Danish Treaties, necessitates heavier expenditures than would otherwise be the case were the Courts administered solely by the Siamese.

(5) *It furnishes no ^{special stimulus to the rapid} completion of the Siamese Codes of Laws—now in process—since there is nowhere even in the British or the Danish Treaties any assurance that once these Codes have been completed and promulgated the requirement that European judges and advisers assist in the Siamese Courts will be yielded and these Courts restored to their full measure of authority (as recognized by treaties previous to 1855).*

A transfer of jurisdiction from the International to the ordinary Siamese Courts can only be of value to Siam if with it goes the assurance that the administration of justice will then be wholly Siamese. But such is not the case. Apparently, save for the final wiping out of the privilege of evocation (which privilege is rarely exercised), the transfer of jurisdiction called for upon promulgation of her Codes is a transfer in name and nothing more. As long as European judges and advisers are to be attached to the Siamese, as they are at present attached to the International Courts, with all their present powers and privileges, Siam stands to gain nothing by codification of her laws. In this view of the case, it is surprising that the codification has progressed so far. The work consists of a restatement in the shape of codes of the original Siamese laws as they have been evolved through the experience of centuries, a system native to herself and breathing the spirit of justice, moderation, and fair-play, which is the heritage of her race. The work is subdivided into five heads—the Codes on Criminal and on Civil Procedure, on Criminal and on Civil Substantive Law, and on the Organization of the Courts. This work will, of course, proceed, but it would naturally go much faster were there present in the Siamese mind the thought that completion of the work would spell freedom from her bondage to these judges and advisers of an alien race, however worthy. Siam wants to go back to the status of the early Treaties, but for this the present treaty schemes do not provide.

It is clear then that this oppressive scheme of extritoriality must be removed in its entirety, both because

it works practical and unnecessary hardship to Siam and because it is unjust.

2. *Second, as to Fiscal Limitations.*

There remain to be considered the limitations upon Siam's fiscal sovereignty, an instance of injustice perhaps more glaring even than that of extritoriality because of its immediate and disastrous practical consequences.

(1) *It invades the sovereignty of Siam.*

This argument needs no elaboration.

(2) *Far worse than this it has placed Siam in the unenviable position of being forced to rely for a large proportion of her revenues upon the objectionable opium and gambling monopolies, with all the evil consequences to the people which this involves.*

Siam's customs revenues have been sharply curtailed by virtue of the three per cent. limitation on imports and the fixed schedules of antiquated export duties, schedules which have never been changed since 1855, notwithstanding the changes in the values of those articles since that time. This arbitrary curtailment of her revenue derivable from customs forced her, therefore, in order to keep pace with the growing needs of her progressive and forward-looking people, and with the development of the national administration, to depend upon supplying such needs from other sources. Her expenditures although prudently and wisely made for improvements which have greatly benefited the population, have been steadily increasing and her revenue, if she is to maintain her present sound financial condition, must perforce keep pace.

In finance, Siam has been prudent. In the face of difficulty and the necessities of growth from a cloistered Oriental state to a modern country she has been no spend-thrift. Unlike ^acountry ^ylike Turkey ~~like Turkey~~, she has kept free from the stultifying grip of foreign money lenders. On March 31st, 1919, her national debt stood at £6,702,220 (pounds sterling) or 87,128,860 ticals (at the present rate of thirteen ticals to the pound), as compared with an estimated revenue for 1918-19 of 69,500,000 ticals and an actual revenue in 1916-17 (the latest year for actuals) of 82,911,149 ticals. Her revenues have increased from fifteen odd million ticals in 1892-93 (the first year for which the figures have been recorded with any great degree of accuracy) to the present figures recorded above of 82 odd millions. Her national debt dates only from 1905, when the first loan was negotiated. Her currency has recently been put on a gold basis (1908) and the exchange value of the tical standardized. It will thus be seen that Siam's growth is rooted on a sound financial basis.

Within the limits of prudence and with an eye to the preservation and strengthening of her financial integrity, Siam has invested even a large part of her income in improvements of a forward-looking character. The substance of her loans (£6 million odd or 87 million ticals) went into railroad building, while out of such annual surpluses as she has had have been defrayed the costs of further railroad building (2 million odd ticals in 1916-17), of irrigation projects (1 million odd ticals in the same year), and of the splendid Bangkok water-works (which have cost perhaps $1\frac{1}{2}$ million ticals to date), a plant which has completely wiped out cholera in that city. These things

are a part of progress and a wise tax upon the people benefited. Siam has, if anything, erred on the side of caution. But even so her expenditures have inevitably grown and further progress must entail further growth in revenue. A deficit in the revenue is anticipated for the current year.

While her present position is sound and her record free from taint of extravagance, Siam has had to pay a bitter price for this stability of her exchequer. For without the opium and gambling revenues to pay her bills, she would not now be financially secure.

All along Siam has been faced, as she is still, with the problem of how best to increase her revenues in order to satisfy the growing demands upon her purse. As far as customs duties are concerned she was and is, as we know, helpless. While her foreign trade has been growing steadily (a growth of 13 per cent. in the last ten years, 1906-7 to 1916-17) and the receipts from customs duties have, in the same period, increased 39 per cent., this difference in percentages can of course be explained only on the ground of increased efficiency in administration of customs (since otherwise the figures would be the same). This has probably by now reached top-notch. Nothing more can reasonably be looked for in this direction. And while customs duties have increased 39 per cent., the total revenue has in the same period grown by 45 per cent. Customs have therefore always lagged behind and as has just been pointed out, will probably from now on lag much more markedly than before.

Her customs being fixed by the three per cent. and the 1855 schedule limits, she has been forced to look elsewhere for the sorely needed revenue. Of the other sources open to her, the income derivable from opium and gambling

monopolies were alone capable of the necessary expansion. This is because an agricultural country of this sort has no great resources beyond those derivable from indirect taxation,—customs, excise, license-fees and the like. Direct taxation is a resource of only limited availability.

Direct taxation in Siam has, for a time, reached the limit of its possible expansion. The simplest form—the capitation tax—yields approximately 8 million ticals annually, which cannot be increased. Income taxation is at present and will be for many years an impossibility. There are in Siam about nine million people. Of these a handful only have incomes, from which any practical rate of taxation would return more than the cost of the levy. The remainder are small farmers, peasantry, laborers and priests. There are no substantial industries, except those established by foreign capital. Even were the treaties so revised that the income of these might be taxed, it would be the worst possible financial expedient for Siam, which needs the investment of foreign capital, to begin by thus discouraging it.

Taxation of land values is hopelessly out of harmony with all the traditions of the East. In all Eastern Countries title to the land vests in theory in the government, which leases it to the occupant. The only form of land taxation which does not conflict with this tradition is therefore a tax upon the use of land—and such taxes have already been developed to the limit of their productivity.

Siam had therefore to fall back upon indirect taxation. Customs and excise being by treaty non-expandable, she had to look to licenses, and the only ones of any productivity were the licenses to gamble and to carry on the opium traffic. These she was forced to rely upon in order

to turn her threatened deficits into surpluses. Her position is unenviable indeed.

(3) *This perpetuation of the opium and gambling traffic has been maintained by the Government against its will and in the face of a powerful body of hostile public sentiment.*

All this has been done because perforce, it had to be and there was no way out of a bad bargain. This is clear from statements emanating from official sources. The Minister of Finance (in his annual report of 1904-5) said "State regulated gambling is, doubtless, indefensible on moral and other grounds, but the practical administrator has to take facts as he finds them The question in Siam is entirely one of ways and means His Majesty's Ministers are fully alive to the evils inherent in this method of raising revenue." In his annual report of 1905-6, referring to the possibility of increasing the 3% import duty rate he said "By decreeing the abolition of all public gambling in the provinces [which had just been carried out], the Government has given an earnest of its desire to purge the administration of any connection with a questionable form of revenue and it now confidently looks to the Powers with whom Siam is in treaty relations to assist it to complete this great reform by making it possible to meet the heavy loss which the suppression of the gambling houses in Bangkok will entail. I trust to be able to report next year what progress has been made in this matter". Two years later he reported (report of 1907-8), "For the final accomplishment of its purpose, viz., the abolition of the remaining gambling houses (now confined to the capital) the Government must await the result of the negotiations

with the Treaty Powers for an enhancement of the general import duty, at present fixed at 3 per cent. It is impossible to face any further loss of revenue without some *quid pro quo*." In 1916-17 he states that: "For various reasons, no progress has been made in the negotiations for the revision of the Customs Tariff", and further on "The Government felt that a further decided step forward must be taken if the country was to be entirely freed, within a reasonable period of time, of the evils incidental to the retention of large gambling and lottery establishments in the Capital of the Kingdom; and much consideration has been given by His Majesty and his Ministers to the best means of attaining the desired object".

At a conference of the International Opium Commission held at Shanghai (1909), the Chief Commissioner of the Siamese delegation told the Conference (as quoted in the Report of the Proceedings) that, "The aim of his Government was to ultimately suppress the use of opium altogether, but they intended to follow a conservative policy, and not to venture on experiments that might prove disastrous to the revenue of the State without helping towards the desired end".

In his report of 1918-19 the Finance Minister has this to say of opium: "The Government, in pursuance of its declared policy of gradual suppression, has decided to effect a further change in the method of sale, by eliminating the middlemen * * *. In Bangkok the den-keepers have always received their supplies direct from the Government. * * * Sales for home consumption will also be made by Government officials—thus entirely doing away with the middlemen".

The Government realizes then that the opium traffic must be done away with. And it intends to do away with it at the earliest moment compatible with Siam's financial safety. But it realizes too that that moment has not come and that, until the Powers grasp the situation and undo the evil which they have unwittingly done to her, Siam is helpless.

(4) *Siam is trying her best to do away with this moral stigma.*

As the above quotations show, Siam has already done away with the gambling monopoly. Notwithstanding the importance of this source of revenue to the Government (which in 1904-5 amounted to over seven million ticals, the largest single item of revenue for that year and one-fifth of the total revenue) the Government the following year decreed the closing within two years' time of all gambling farms and lotteries outside the capital, and provided for the final eradication (in 1907) of those within the city limits if the state of the finances should then permit such drastic curtailment. Had it not been for the healthy condition of the finances of the country, due to the prudent management of many years, a step such as this could never have been taken. But the program as planned could not then be fully carried out. The Powers not having seen fit to revise the customs rates, the final step in the eradication of this evil from the country, the closing of the gambling houses in Bangkok, had to be postponed and was not actually effected until ten years later. In 1916 the last of the lotteries was abolished, and this was followed the next year by the closing of the gambling houses in Bangkok. Next to opium and

the land tax, these monopolies, just before their abolition, were the most productive of Siam's revenue sources.

Siam has clearly omitted no opportunity to do away with these things. In face of all obstacles she has wiped out the gambling evil. But opium—which is worse—she cannot spare. Too much of her revenue comes from this source. The figures on it are striking, revealing as they do how enormously her increased revenue is due to this source. In the last ten years (1906-7 to 1916-17) the opium revenue has grown 117 per cent.—as compared with a total growth of revenue of 45 per cent. In 1915-16 opium supplied $21 \frac{2}{5}$ per cent. of the total revenue for that year, more than double the land revenue, the next most productive source. And in 1916-17 (the last year for actuals) it amounted to $23 \frac{1}{4}$ per cent. of the total, or almost one-quarter of her entire current resources. For Siam to cut off this one-quarter of her funds, in view of steadily mounting expenses, would be suicidal. In face of the figures she is helpless to effect a change.

(5) *The injustice of thus saddling Siam with an opium traffic which she abhors, but upon which she is dependent for her very life, is obvious.*

This point hardly requires comment. The facts speak for themselves.

(6) *The injustice becomes the more apparent when we realize that the very importation of opium, let alone its use, is contrary to the best and longest established of Siamese traditions, a country which itself grows no opium and is not addicted to its use.*

In the earliest treaties, recognition was accorded to the fact that opium was then contraband in Siam, and provision was made for summary disposal of it should

any be smuggled in. Such treatment of the drug was the then established policy of Government. And smugglers in succeeding laws were treated with the greatest harshness, the penalty for second offenses being commonly death. Even when the treaty of 1855-56 forced a revision of this policy by admitting opium free, its importation was hedged about with numerous restrictions, limiting its sale to government licensed agents and otherwise keeping it within control of Government. This governmental supervision became increasingly rigid as time went on, until by 1907 the Government had itself taken over the manufacture of the raw drug and, by 1918, its sale direct to the user. Provision has also recently been made for registration of all smokers and for hospitals for opium addicts. Beginning in 1907, steps were taken to close the opium shops in Bangkok, then numbering 900, at the rate of 100 a year, until there should be only 200 left. Nothing stands in the way of eventual eradication of the opium evil but the fact that Siam, as we have seen, cannot get on without the money which it brings in. She cannot throw over a quarter of her revenue without supplementing that revenue from another source.

The Powers must help. Upon them rests responsibility for this thing. And what they are responsible for, they and they alone have power to cure.

3. *As To Present-Day Conditions in General.*

Siam is no longer in European eyes the country of an unknown and ununderstood civilization that she was in 1855, and what was formerly but a means of self-preservation of the European governments and peoples, preservation of their laws and customs in a land of foreign laws, preservation of their rights to trade as against concession-

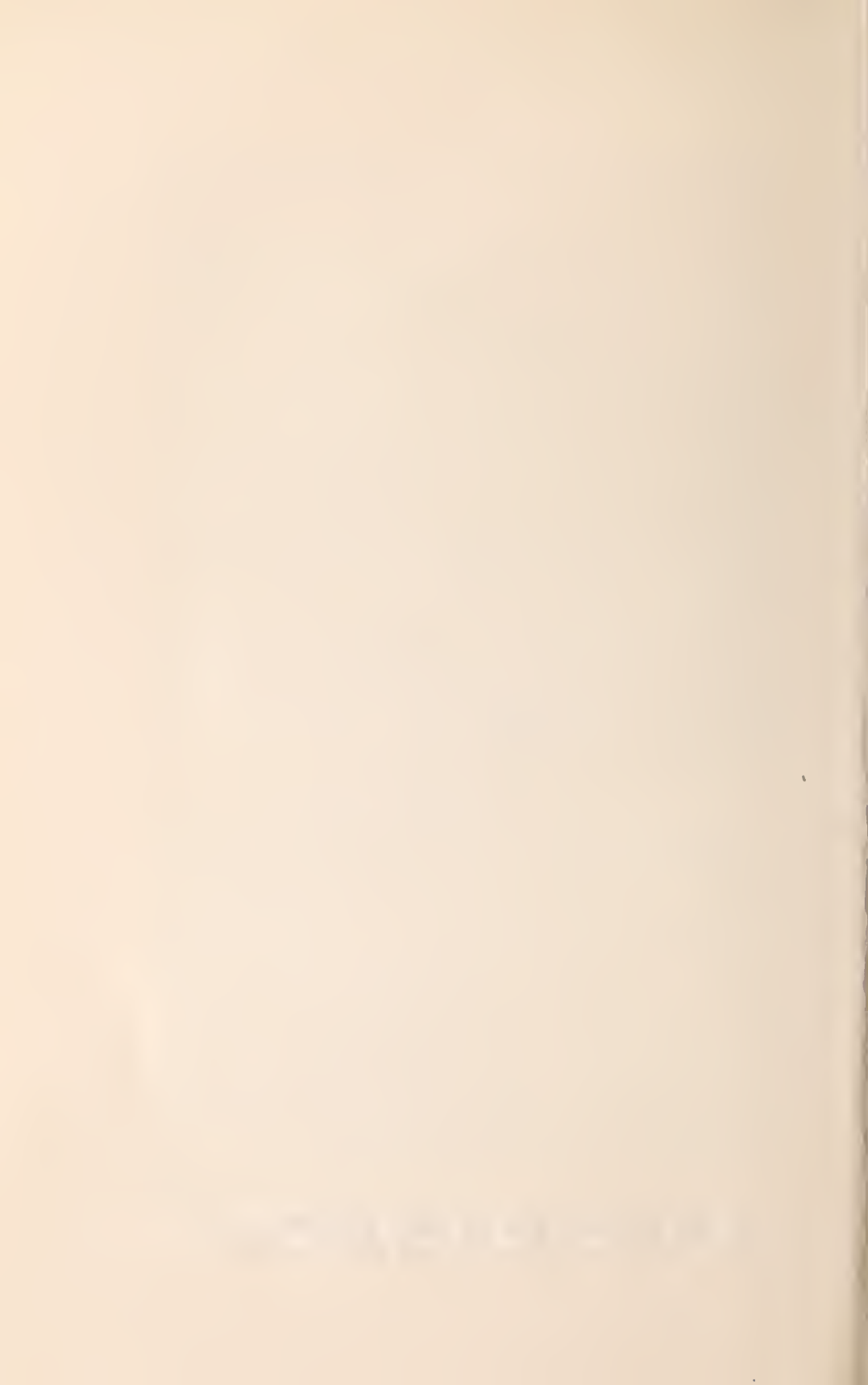
hunting rivals, has since grown into an instrument of oppression to Siam and to its people.

The world has changed in fifty years, and Siam and Europe have grown in knowledge and in understanding of one another. Siam's customs are no longer strange to Europeans. And Siam herself has quickened through her contacts with the Western world. Enlightened laws, prudent and efficient administration, unimpeached integrity in public life, financial honesty, all these things Siam has brought out of her past and fashioned to the modern shape. Graft, that bane of modern society, is not mentioned in anything that has been written about Siam. It does not exist there. The European countries, now that they know her, do not fear.

Yet the system lingers. Its weight falls on the people of Siam. They suffer the vexatiousness of foreign laws, they pay the price—in waning native industries, in heavy taxes on their land, in opium.

CONCLUSION.

Siam, who fought to safeguard the existence of independent sovereign countries and the happiness of peoples everywhere, expects, with the help of her brave allies, to safeguard her own people as well, and with that end in view to be allowed to exercise freely all the rights and attributes which naturally appertain thereto, the right of jurisdiction, and of levying taxes according as she may see fit, rights which all free peoples freely exercise. Of her late brothers in arms, she can expect no less than justice, and it is for justice that she asks.

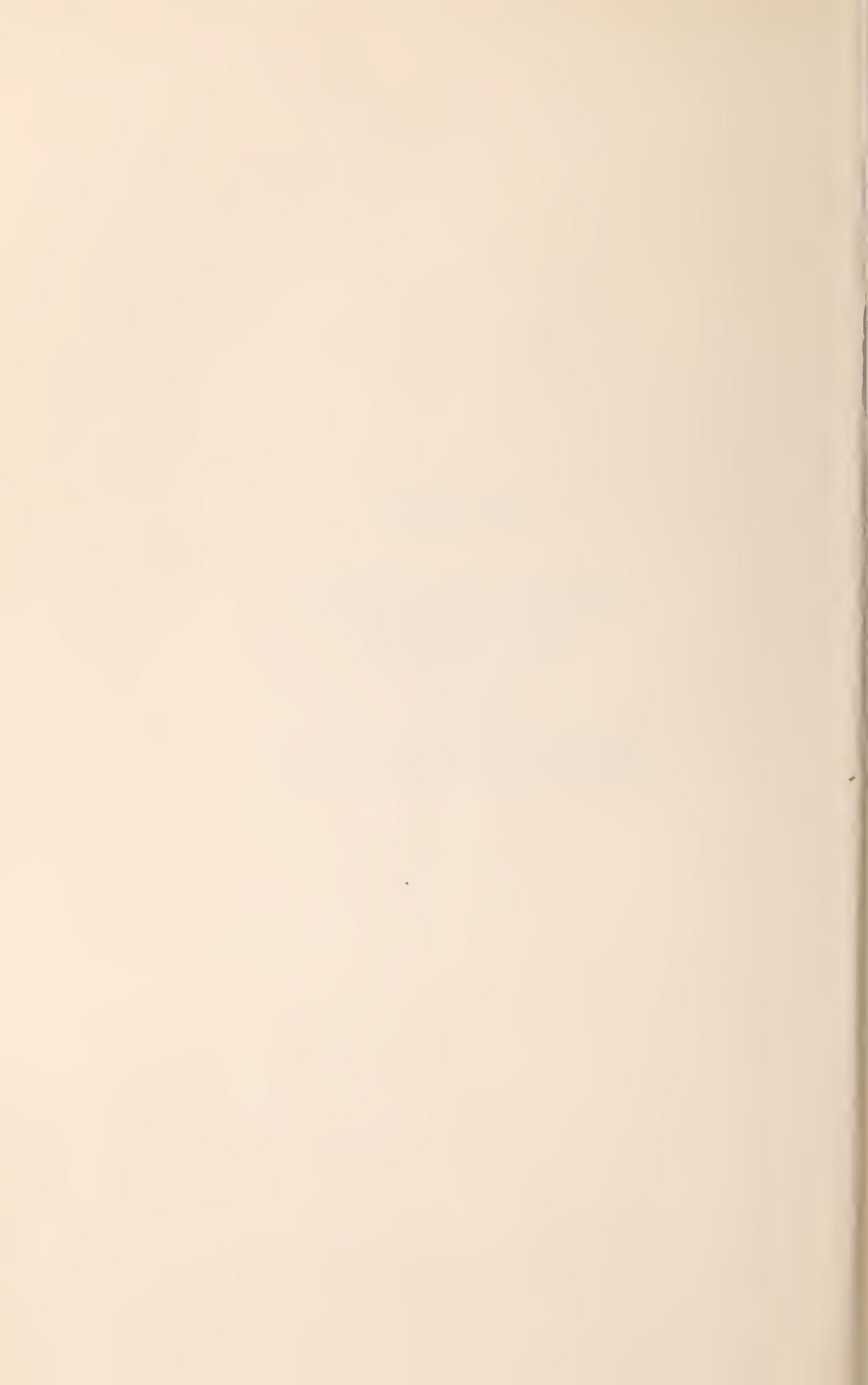


APPENDIX

**Treaty Excerpts Relating to
Ex-Territoriality**

and

Limitations Upon Taxing Power



I.

EX-TERRITORIALITY.

GREAT BRITAIN.

1826.

(TREATY WITH THE KING OF SIAM. JUNE 20, 1826.)

ART. I:

“The English and Siamese engage in friendship, love and affection, with mutual truth, sincerity, and candour. The Siamese must not meditate or commit evil, so as to molest the English in any manner. The English must not meditate or commit evil, so as to molest the Siamese in any manner. The Siamese must not go and molest, attack, disturb, seize, or take any place, territory, or boundary belonging to the English in any Country subject to the English. The English must not go and molest, attack, disturb, seize, or take any place, territory, or boundary belonging to the Siamese in any Country subject to the Siamese. The Siamese shall settle every matter within the Siamese boundaries, according to their own will and customs.”

1855-1856.

(TREATY OF FRIENDSHIP AND COMMERCE, BETWEEN GREAT BRITAIN AND SIAM.—SIGNED AT BANGKOK, APRIL 18, 1855.)

(Ratifications exchanged at Bangkok, April 5, 1856.)

ART. II:

“II. The interests of all British subjects coming to Siam shall be placed under the regulation and control

of a Consul, who will be appointed to reside at Bangkok: he will himself conform to, and will enforce the observance by British subjects of, all the provisions of this Treaty, and such of the former Treaty negotiated by Captain Burney in 1826, as shall still remain in operation. He shall also give effect to all rules or regulations that are now or may hereafter be enacted for the government of British subjects in Siam, the conduct of their trade, and for the prevention of violations of the laws of Siam. Any disputes arising between British and Siamese subjects, shall be heard and determined by the Consul, in conjunction with the proper Siamese officers; and criminal offences will be punished, in the case of English offenders, by the Consul, according to English laws, and, in the case of Siamese offenders, by their own laws, through the Siamese authorities. But the Consul shall not interfere in any matters referring solely to Siamese, neither will the Siamese authorities interfere in questions which only concern the subjects of Her Britannic Majesty."

(AGREEMENT SUPPLEMENTARY TO THE TREATY OF FRIENDSHIP AND COMMERCE BETWEEN GREAT BRITAIN AND SIAM.—SIGNED AT BANGKOK, MAY 13, 1856.

AGREEMENT ENTERED INTO BETWEEN HARRY SMITH PARKES, ESQ., ON THE PART OF HER BRITANNIC MAJESTY'S GOVERNMENT, AND THE UNDER-MENTIONED ROYAL COMMISSIONERS, ON THE PART OF THEIR MAJESTIES THE FIRST AND SECOND KINGS OF SIAM.)

ART. II:

"With reference to the punishment of offences, or the settlement of disputes, it is agreed:

“That all criminal cases in which both parties are British subjects, or in which the defendant is a British subject, shall be tried and determined by the British Consul alone. All criminal cases in which both parties are Siamese, or in which the defendant is a Siamese, shall be tried and determined by the Siamese authorities alone.

“That all civil cases in which both parties are British subjects, or in which the defendant is a British subject, shall be heard and determined by the British Consul alone. All civil cases in which both parties are Siamese, or in which the defendant is a Siamese, shall be heard and determined by the Siamese authorities alone.”

1856.

(BRITISH ORDER IN COUNSEL, PROVIDING FOR THE EXERCISE OF BRITISH JURISDICTION IN SIAM.—JULY 28, 1856.)

At the Court at Osborne House, Isle of Wight, the 28th day of July, 1856.

PRESENT

The Queen's Most Excellent Majesty in Council.

“IV. And it is further ordered, that any charge against a British subject for a breach of rules and regulations, other than those relating to the observance of Treaties, shall in like manner be heard and determined by Her Majesty's Consul; and in all cases in which the penalty shall not exceed 200 dollars or one month's imprisonment, the Consul shall hear and determine the charge summarily, without the aid of assessors; but where the penalty attached to a breach of the rules and regulations other than those relating to the observance of Treaties shall amount to more than 200 dollars, or

to imprisonment for more than one month, the Consul, before he shall proceed to hear the charge, shall summon 2 British subjects of good repute to sit with him as assessors, which assessors shall, however, have no authority to decide on the innocence or guilt of the party charged, or on the amount of fine or imprisonment to be awarded to him on conviction; but it shall rest with the Consul to decide on the guilt or innocence of the party charged, and on the amount of fine or imprisonment to be awarded to him: provided always, that in no case shall the penalty to be attached to a breach of rules and regulations other than those for the observance of Treaties exceed 500 dollars, or 3 months' imprisonment; and provided further, that in the event of the said assessors, or either of them, dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment awarded to him by the Consul, the Consul shall take a note of such dissent, with the grounds thereof and shall require good and sufficient security for the appearance of the party convicted at a future time, in order to undergo his sentence or receive his discharge; and the Consul shall, with as little delay as possible, report his decision, with all the particulars of the case, together with the dissent of the assessors, or either of them, and the grounds thereof, to Her Majesty's Principal Secretary of State for Foreign Affairs, and Her Majesty's Principal Secretary of State of Foreign Affairs shall have authority to confirm, or vary, or reverse the decision of the Consul, as to him may seem fit.

“V. And it is further ordered, that it shall be lawful for Her Majesty's Consul to hear and determine any

suit of a civil nature against a British subject, arising within any part of the dominions of the Kings of Siam, whether such suit be instituted by a subject of the Kings of Siam or by a subject or citizen of a foreign State in amity with Her Majesty; and if either or any party in such suit shall be dissatisfied with the decision given by such Consul, it shall be lawful for such party, within 15 days, to give to the Consul notice of appeal to the Supreme Court in Her Majesty's possession of Singapore; whereupon the Consul shall, with as little delay as possible, transmit all the documents which were produced before him and none other, together with a statement of the grounds on which he has formed his decision, to the said Supreme Court, and shall forthwith modify to the several parties the transmission of the process: provided always, that it shall be lawful for the Consul to require from any party appealing to the said Supreme Court reasonable security, which shall consist in part of one or two sufficient sureties, to be approved by the Consul, that such party shall abide by the decisions to be given by the said Supreme Court, and, if such appeal shall fail, to answer all costs, loss, and damages sustained by the other party in consequence of such appeal.

“VI. And it is further ordered, that it shall be lawful for Her Majesty's Consul, in like manner, to hear and determine any suit of a civil nature, arising within any part of the dominions of the Kings of Siam, instituted by a British subject against a subject of the Kings of Siam, or against a subject or citizen of a foreign State in amity with Her Majesty, provided that the defendant in such suit shall consent to submit to his jurisdiction, and give sufficient security that he will abide by the de-

cision of the Consul, or, in case of appeal, by that of the Supreme Court of Her Majesty's possession of Singapore, and will pay such expenses as the Consul or the said Supreme Court shall adjudge; and if either or any party in such suit shall be dissatisfied with the decision given by such Consul, it shall be lawful for such party, within 15 days, to give to the Consul notice of appeal to the said Supreme Court, and the proceedings in such a suit, or in an appeal arising therefrom, shall be conformable to, and under the same conditions as, the proceedings in a suit, or in an appeal arising therefrom, in which a British subject is defendant, and a subject of the Kings of Siam, or a subject or citizen of a foreign State in amity with Her Majesty, is plaintiff."

1883.

(TREATY BETWEEN GREAT BRITAIN AND SIAM, FOR THE PREVENTION OF CRIME IN THE TERRITORIES OF CHIENGMAL, LAKON, AND LAMPOONCHI, AND FOR THE PROMOTION OF COMMERCE BETWEEN BRITISH BURMAH AND THE TERRITORIES AFORESAID.—SIGNED AT BANGKOK, SEPTEMBER 3, 1883.)

(Ratifications exchanged May 7, 1884.)

ARTS. VII-IX:

"VII. The interests of all British subjects coming to Chiengmai, Lakon, and Lamphoonchi shall be placed under the regulations and control of a British Consul or Vice-Consul, who will be appointed to reside at Chiengmai, with power to exercise civil and criminal jurisdiction in accordance with the provisions of Article II of the Supplementary Agreement of the 13th May, 1856, subject to Article VIII of the present Treaty.

“VIII. His Majesty the King of Siam will appoint a proper person or persons to be a Commissioner and Judge, or Commissioners and Judges, in Chiengmai for the purposes hereinafter mentioned. Such Judge or Judges shall, subject to the limitations and provisions contained in the present Treaty, exercise civil and criminal jurisdiction in all cases arising in Chiengmai, Lakon, and Lamphoonchi, between British subjects, or in which British subjects may be parties as complainants, accused, plaintiffs, or defendants, according to Siamese law; provided always, that in all such cases the Consul or Vice-Consul shall be entitled to be present at the trial, and to be furnished with copies of the proceedings, which, when the defendant or accused is a British subject, shall be supplied free of charge, and to make any suggestions to the Judge or Judges which he may think proper in the interests of justice; provided also, that the Consul or Vice-Consul shall have power at any time, before judgment, if he shall think proper in the interests of justice, by a written requisition under his hand, directed to the Judge or Judges, to signify his desire that any case in which both parties are British subjects, or in which the accused or defendant is a British subject, be transferred for adjudication to the British Consular Court at Chiengmai, and the case shall thereupon be transferred to such last-mentioned Court accordingly, and be disposed of by the Consul or Vice-Consul, as provided by Article II of the Supplementary Agreement of the 13th May, 1856.

“The Consul or Vice-Consul shall have access, at all reasonable times, to any British subject who may be imprisoned under a sentence or order of the said Judge or Judges, and, if he shall think fit, may require that the

prisoner be removed to the Consular Prison, there to undergo the residue of his term of imprisonment.

“The Tariff of Court fees shall be published, and shall be equally binding on all parties concerned, whether British or Siamese.

“IX. In civil and criminal cases in which British subjects may be parties, and which shall be tried before the said Judge or Judges, either party shall be entitled to appeal to Bangkok; if a British subject, with the sanction and consent of the British Consul or Vice-Consul, and in other cases by leave of the presiding Judge or Judges.

“In all such cases a transcript of the evidence, together with a Report from the presiding Judge or Judges, shall be forwarded to Bangkok, and the appeal shall be disposed of there, by the Siamese authorities and Her Britannic Majesty’s Consul-General in consultation.

“Provided always that in all cases where the defendants or accused are Siamese subjects, the final decision on appeal shall rest with the Siamese authorities; and that in all other cases in which British subjects are parties, the final decision on appeal shall rest with Her Britannic Majesty’s Consul-General.

“Pending the result of the appeal, the judgment of the Court at Chiengmai shall be suspended on such terms and conditions (if any) as shall be agreed upon between the said Judge or Judges and the Consul or Vice-Consul.

“In such cases of appeal, as above set forth, the appeal must be entered in the Court of Chiengmai within a month of the original verdict, and must be presented at Bangkok within a reasonable time, to be determined by

the Court at Chiengmai, failing which the appeal will be thrown out of Court."

"ANNEX.

MR. SATOW TO CHAO PHYA BHANUWONGSE.

Bangkok, December 31, 1884."

"I have the honour to acquaint your Excellency that Her Majesty's Government having been acquainted with the desire of His Majesty the King of Siam that the stipulations of the Treaty of the 3rd September, 1883, relating to the territories of Chiengmai, Lakhon, and Lamphoonchi, by which among other matters it is provided that the Siamese Courts shall, in the first instance, exercise civil and criminal jurisdiction over British subjects in all cases arising in those territories, should be extended to the territories of Muang Nan and Phrë, have instructed me to express to the Government of His Majesty the King their concurrence in this arrangement.

"The words Chiengmai, Lakhon, and Lamphoonchi, in the Treaty of 1883, being thus taken to include the territories of Muang Nan and Phrë, it would appear that a similar extension of meaning should be given to those words as occurring in Mr. Gould's Commission."

1889.

(BRITISH ORDER IN COUNCIL, PROVIDING FOR THE EXERCISE OF HER MAJESTY'S JURISDICTION IN SIAM. WINDSOR, NOVEMBER 28, 1889.)

"PART IV.—GENERAL POWERS OF COURTS AND GENERAL PROCEDURE.

"13.—(1) All Her Majesty's jurisdiction, civil and criminal, exercisable in Siam, shall, except as otherwise

provided by this Order, be exercisable by the District Courts each for and within its own district.”

* * * * *

“PART XII.—FOREIGNERS AND FOREIGN COURTS.

89. (a) Where a foreigner desires to institute or take a suit or proceeding of a civil nature against a British subject, or a British subject to institute or take a suit or proceeding of a civil nature against a foreigner, a District Court may entertain the suit or proceeding, and hear and determine it (and if all parties desire, or the Court directs a trial with a jury or assessors, then with a jury or assessors) at a place where such a trial might be had if all parties were British subjects, and in all other respects according to the ordinary course of the Court.

“(b) Provided that the foreigner (i) first files in the Court his consent to the jurisdiction of the Court; and (ii) also, if required by the Court, obtains and files a certificate in writing from a competent authority of his own Government to the effect that no objection is made by that Government to the foreigner submitting in the particular cause or matter to the jurisdiction of the Court; and (iii) also, if required by the Court, gives security to the satisfaction of the Court, to such reasonable amounts as the Court directs, by deposit of money or otherwise, to pay fees, costs, damages, and expenses, and to abide by and perform the decision to be given by the Court or on appeal.”

1896.

(NOTES EXCHANGED BETWEEN GREAT BRITAIN AND SIAM, EXTENDING THE OPERATION IN SIAM OF THE TREATY OF SEPTEMBER 3, 1883.—BANGKOK, SEPTEMBER 29, OCTOBER 28, 1896.)

No. 1.—MR. DE BUNSEN to PRINCE DEVAWONGSE.

Bangkok, September 29, 1896.

“The Consular district in question having since been further extended to include the additional provinces named in Mr. Archer’s Commission as Consul, viz., Muang Thön, Raheng, Sawankaloke, Sukotai, Utaradit, and Pichai, I desire to propose by this note that those additional provinces be in the same way held by the British and Siamese Governments to fall within the scope of the above-mentioned Treaty of September 1883, by which, among other matters, it is provided that a specially constituted Siamese Court shall, in the first instance, exercise civil and criminal jurisdiction, under express conditions as to Consular intervention, over British subjects concerned in civil or in criminal cases.”

1903.

(BRITISH ORDER IN COUNCIL, REGULATING HIS MAJESTY’S JURISDICTION IN SIAM.—BUCKINGHAM PALACE, FEBRUARY 16, 1903.)

“PART II.—Constitution and Powers of Courts.

“(1.) Court for Siam.

“7.—(1) There shall be a Court styled ‘His Britannic Majesty’s Court for Siam’ (in this Order referred to as

the Court for Siam, and comprised in the term 'the Court')."

"(4.) Powers of Courts.

* * * * *

"15. The Court for Siam shall ordinarily sit at Bangkok; but may, on emergency, sit at any other place in Siam, and may at any time transfer its ordinary sittings to any such place as the Secretary of State approves. Under this Article the Judge and an Assistant Judge may sit at the same time at different places, and each sitting shall be deemed to be a sitting of the Court for Siam.

"16. The Judge of the Court for Siam may visit, in a magisterial or judicial capacity, any place in Siam, and there inquire of, or hear and determine, any case, civil or criminal, and may examine any records or other documents in any District Court, and give directions as to the keeping thereof."

1909.

(TREATY AND NOTES BETWEEN GREAT BRITAIN AND SIAM REGARDING THE CESSION AND BOUNDARIES OF THE SIAMESE MALAY STATES, THE JURISDICTION OF THE SIAMESE COURTS, AND THE NON-CESSION, &C., OF SIAMESE TERRITORY.—SIGNED AT BANGKOK, MARCH 10, 1909.)

(Ratification exchanged at London, July 9, 1909.)

ART. V:

"V. The jurisdiction of the Siamese International Courts, established by Article VIII of the Treaty of the 3rd September, 1883, shall, under the conditions defined in the Jurisdiction Protocol, annexed hereto, be ex-

tended to all British subjects in Siam, registered at the British consulates before the date of the present Treaty.

“This system shall come to an end, and the jurisdiction of the International Courts shall be transferred to the ordinary Siamese Courts after the promulgation and the coming into force of the Siamese Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure and the Law for Organisation of Courts.

“All other British subjects in Siam shall be subject to the jurisdiction of the ordinary Siamese Courts under the conditions defined in the Jurisdiction Protocol.”

(ANNEX 2.)

(PROTOCOL CONCERNING THE JURISDICTION APPLICABLE IN THE KINGDOM OF SIAM TO BRITISH SUBJECTS, AND ANNEXED TO THE TREATY DATED MARCH 10, 1909.)

“2. The jurisdiction of the International Courts shall extend—

“(1.) In civil matters: To all civil and commercial matters to which British subjects shall be parties.

“(2.) In penal matters: To breaches of law of every kind, whether committed by British subjects or to their injury.

“3. The right of evocation in the International Courts shall be exercised in accordance with the provisions of Article VIII of the Treaty of the 3rd September, 1883.

“The right of evocation shall cease to be exercised in all matters coming within the scope of codes or laws regularly promulgated as soon as the text of such codes or laws shall have been communicated to the British Lega-

tion in Bangkok. There shall be an understanding between the Ministry for Foreign Affairs and the British Legation at Bangkok for the disposal of cases pending at the time that the said codes and laws are communicated.

“4. In all cases, whether in the International Courts or in the ordinary Siamese Courts in which a British subject is defendant or accused, a European legal adviser shall sit in the Court of First Instance.

“In cases in which a British-born or naturalized subject not of Asiatic descent may be a party, a European adviser shall sit as a Judge in the Court of First Instance, and where such British subject is defendant or accused the opinion of the adviser shall prevail.

“A British subject who is in the position of defendant or accused in any case arising in the provinces may apply for a change of venue, and should the Court consider such change desirable the trial shall take place either at Bangkok or before the Judge in whose Court the case would be tried at Bangkok. Notice of any such application shall be given to the British Consular Officer.

* * * * *

“The judgment on appeal from either the International Courts or the ordinary Siamese Courts shall bear the signature of two European Judges.”

FRANCE,

1856.

(DECRET IMPÉRIAL PORTANT PROMULGATION DU TRAITÉ D'AMITIÉ, DE COMMERCE ET DE NAVIGATION, CONCLU LE 15 AOÛT, 1856, ENTRE LA FRANCE ET LE SIAM.—PARIS, LE 28 DÉCEMBRE, 1857.)

“VIII. Le Consul de France s’abstiendra de toute intervention dans les contestations entre sujets Siamois ou entre des Siamois et des étrangers. De leur côté, les Français dépendront, pour toutes les difficultés qui pourraient s’élever entre eux, de la juridiction Français, et l’autorité Siamoise n’aura à s’en mêler en aucune manière, non plus que des différends qui surviendraient entre Français et étrangers, à moins que ces différends, dégénérant en rixes à main armée, ne la forcent à intervenir. Comme il y aurait, dans ce cas, contravention aux lois du pays, le Consul devra constater la nature du délit, et punir les coupables.

“L’autorité Siamoise n’aura pareillement à exercer aucune action sur les navires de commerce Français; ceux-ci ne relèveront que de l’autorité Française et du capitaine. Seulement, en l’absence de bâtiments de guerre Français, l’autorité Siamoise devra, lorsqu’elle en sera requise par le Consul de France, lui prêter main-forte pour faire respecter son autorité par ses nationaux, et pour maintenir le bon ordre et la discipline parmi les équipages des navires de commerce Français.

“IX. Les Français seront également régis par la loi Française pour la répression de tous les crimes et délits

commis par eux dans le Royaume de Siam. Les coupables seront recherchés et arrêtés par les autorités Siamois, à la diligence du Consul de France, auquel ils devront être remis, et qui se chargera de les faire punir conformément aux lois Françaises. Si des Siamois se rendent coupable de délits ou de crimes envers des Français, ils seront arrêtés par l'autorité Siamoise et livrés à la sévérité des lois du Royaume.”

1904.

(CONVENTION BETWEEN FRANCE AND SIAM, MODIFYING THE STIPULATIONS OF THE TREATY OF THE 3RD OCTOBER, 1893, REGARDING TERRITORIAL BOUNDARIES AND OTHER ARRANGEMENTS.)

(Ratifications exchanged at Paris, December 9, 1904.)

“XII. En ce qui concerne la juridiction à laquelle seront désormais soumis, sans aucune exception, tous les Français et protégés Français au Siam, les deux Gouvernements conviennent de substituer aux dispositions existantes les dispositions suivantes:—

1. En matière pénale, les Français ou protégés Français ne seront justiciables que de l'autorité judiciaire Française;

2. En matière civile, tout procès intenté par un Siamois contre un Français ou protégé Français sera porté devant le Tribunal Consulaire Français.

“Tout procès dans lequel le défendeur sera Siamois sera porté devant la Cour Siamoise des causes étrangères instituée à Bangkok.

“Par exception, dans les provinces de Xieng-Maï, Lak-hon, Lampoun, et Nan, tous les procès civils et criminels

intéressant les ressortissants Français seront portés devant la Cour Internationale Siamoise.

“Mais il est entendu que, dans tous ces procès, le Consul de France aura le droit d’assister aux audiences ou de s’y faire représenter par un Délégué dûment autorisé et de formuler toutes observations qui lui sembleront convenables dans l’intérêt de la justice.

“Au cas où le défendeur serait Français ou protégé Français, le Consul de France pourra, à tout moment au cours de la procédure, s’il le juge opportun et moyennant une réquisition écrite, évoquer l’affaire en cause.

“Celle-ci sera alors transférée au Tribunal Consulaire Français, qui sera, à partir de ce moment, seul compétent, et auquel les autorités Siamoisés seront tenues de prêter le concours de leurs bons offices.

“Les appels des jugements rendus tant par la Cour des Causes Étrangères que par la Cour Internationale, pour les quatre provinces susmentionnées, seront portés devant la Cour d’Appel de Bangkok.”

1907.

(TREATY BETWEEN FRANCE AND SIAM REGULATING QUESTIONS CONNECTED WITH THE FRONTIERS OF INDO-CHINA AND SIAM, JURISDICTION, AND THE POSITION OF FRENCH ASIATIC SUBJECTS.—SIGNED AT BANGKOK, MARCH 23, 1907.)

(Ratifications exchanged at Paris, June 21, 1907.)

ARTICLE V :

“Tous les Asiatiques sujets et protégés Français, qui se feront inscrire dans les Consulats de France au Siam après la signature du présent Traité, par application de

l'Article XI de la Convention du 13 Février, 1904, seront justiciables des Tribunaux Siamois ordinaires.

“La juridiction des Cours Internationales Siamois, dont l'institution est prévue par l'Article XII de la Convention du 13 Février, 1904, sera, dans les conditions énoncées au Protocole de Juridiction ci annexé, étendue, dans tout le Royaume de Siam, aux Asiatiques sujets et protégés Français visés par les Articles X et XI de la même Convention, et actuellement inscrits dans les Consulats de France au Siam.

“Ce régime prendra fin et la compétence des Cours Internationales sera transférée aux Tribunaux Siamois ordinaires, après la promulgation et la mise en vigueur des Codes Siamois (Code Pénal, Code Civil et Commercial, Codes de Procédure, Loi d'Organisation Judiciaire).”

ANNEXE II :

CLAUSE II.

“La compétence des Cours Internationales s'étend :

“1. En matière civile : à toutes matières civiles ou commerciales dans lesquelles des Asiatiques sujets ou protégés Français seront en cause :

“2. En matière pénale : aux infractions de toute nature commises soit par des Asiatiques sujets ou protégés Français, soit à leur préjudice.

CLAUSE III.

“Dans les Provinces d'Udorn et d'Isarn, la juridiction des Cours Internationales s'étendra provisoirement à tous les Asiatiques sujets et protégés Français, quelle que

soit la date de leur inscription sur les registres des Consuls de France.

CLAUSE IV.

“Le droit d’évocation s’exercera conformément aux dispositions de l’Article XII de la Convention du 13 Février, 1904.

“Toutefois, ce droit cessera de s’exercer pour toutes matières qui feront l’objet de Codes ou de Lois régulièrement promulguées dès que ces Codes ou ces Lois auront été communiqués à la Légation de France, et qu’ils auront été mis en vigueur.

* * * * *

CLAUSE V.

“Toutes requêtes à fin d’appel contre les jugements des cours Internationales de Première Instance seront communiquées au Consul de France, qui aura le droit de donner sur l’affaire un avis écrit pour être joint au dossier.

“L’arrêt d’appel devra porter la signature de deux Juges Européens.”

1908.

(FRENCH DECREE RELATING TO THE ORGANIZATION OF CRIMINAL JURISDICTION IN SIAM AS AFFECTING FRENCH SUBJECTS AND PROTECTED PERSONS OF ASIATIC ORIGIN. —PARIS, SEPTEMBER 17, 1908.)

“D’après ce système, tous ces sujets et protégés deviennent provisoirement justiciables des cours dites internationales; mais dans tous les procès les intéressant,

nos consuls ont le droit d'assister aux audiences ou de s'y faire représenter par un délégué, de formuler toutes les observations qui leur semblent convenables et enfin, si notre ressortissant est défendeur, d'évoquer l'affaire à tout moment de la procédure. Le droit ainsi consenti par le Gouvernement siamois est apparu comme la contre-partie nécessaire de la reconciation que nous consentions à nos anciens privilèges."

UNITED STATES,

1833.

(TREATY OF AMITY AND COMMERCE BETWEEN THE UNITED STATES AND SIAM.—SIGNED AT SIA-YUT'HIA (BANGKOK), 20th MARCH, 1833.)

“IX. Merchants of The United States trading in the Kingdom of Siam shall respect and follow the Laws and customs of the Country in all points.”

1856.

(TREATY OF PEACE, FRIENDSHIP, COMMERCE AND NAVIGATION, BETWEEN THE UNITED STATES AND SIAM.—SIGNED AT BANGKOK, MAY 29, 1856.)

(Ratifications exchanged at Bangkok, June 15, 1857.)

ART. II.

“Any disputes arising between American citizens and Siamese subjects shall be heard and determined by the Consul, in conjunction with the proper Siamese officers; and criminal offences will be punished, in the case of American offenders, by the Consul, according to American laws, and in the case of Siamese offenders, by their own laws, through the Siamese authorities. But the Consul shall not interfere in any matters referring solely to Siamese; neither will the Siamese authorities interfere in questions which only concern the citizens of The United States.”

ITALY,

1868.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, BETWEEN ITALY AND SIAM.—SIGNED IN LONDON, OCTOBER 3, 1868.)

(Ratifications exchanged at Bangkok, 1st January, 1871.)

“IX. Any dispute or controversy between Italian and Siamese subjects, shall be settled by the Diplomatic Representative, or jointly by the Consuls and the functionaries of Siam. Criminal cases shall be adjudged by the Legation or the Consulates if the delinquent be an Italian, and by the local authorities if he be a Siamese subject.

“But neither the Legation nor the Consulates shall interfere in matters affecting Siamese subjects only, nor shall the local authorities interfere in questions relating purely to Italian subjects.”

1905.

(SUPPLEMENTAL CONVENTION BETWEEN ITALY AND SIAM MODIFYING ARTICLES VIII AND IX OF THE TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION OF OCTOBER 3, 1868.—SIGNED AT PARIS, APRIL 8, 1905.)

(Ratifications exchanged at Paris October 7, 1905.)

“III. With regard to the jurisdiction to which in the future without any exception all Italian subjects in Siam will be subjected, the two Governments agree:

“1. In criminal matters, if the offender be an Italian subject, he shall be tried and punished by the Italian Judicial Consular Officer;

“2. In civil matters, all actions brought by a Siamese against an Italian subject shall be heard before the Italian Judicial Consular Officer.

“If the defendant is a Siamese, the action shall be heard by the Siamese Court for Foreign Causes;

“3. But in the provinces of Chiengmai, Lakhon, Lam-poon and Nan, all civil or criminal cases to which an Italian subject may be a party, shall be heard before the Siamese International Court.

“In any of the cases mentioned in paragraph 3 of this Article, the Italian Judicial Consular Officer shall have the right to be present at the trial or to be represented there by a duly authorized delegate and to make any observations which he may deem proper in the interest of justice.

“In cases where the defendant is an Italian subject, the Italian Judicial Consular Officer may, at any stage in the proceedings, if he thinks proper, by means of a written requisition evoke the case before him.

“Such a case shall then be transferred to the Italian Judicial Consular Officer, who shall from that time forward alone be competent to try the case, and to whom the Siamese authorities shall be bound to give their assistance.

“Appeals from the judgments rendered by the Court for Foreign Causes, as well as by the International Court established in the four provinces above mentioned, shall be brought before the Court of Appeal in Bangkok.”

(L. S.) PHYA SURIYA.

(L. S.) G. TORNIELLI.

PORTUGAL,

1859.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN PORTUGAL AND SIAM.—SIGNED AT BANGKOK,
FEBRUARY 10, 1859.)

(Ratification exchanged at Bangkok, August 28, 1861.)

(Translation.)

VI. "Any questions which may arise between Portuguese and Siamese subjects must be laid before the Portuguese Consul, who, in concert and agreement with the Siamese authorities, will endeavour to settle it amicably; and in case of not being able to do so, civil questions will be decided by the Consul or by the Siamese authority, according to the nationality of the delinquent or accused person, and in conformity with the respective laws.

"The Consul will never interfere in questions which solely concern Siamese subjects, nor the Siamese authorities in questions solely relating to Portuguese subjects, except in the case of crimes in which the delinquents will be taken into custody by the local authority and handed over to the Portuguese Consul to be punished according to the Portuguese laws, or sent to Macao to be tried there. In any question in which Portuguese or Siamese subjects are interested, the Portuguese Consul, as well as the Siamese authorities will have the right to be present at the investigations which are made for the elucidation of the case, having a right to receive whenever it is possible, copies of the depositions and other documents relating to the trial till the conclusion of the case."

JAPAN,
1898.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN JAPAN AND SIAM.—SIGNED AT BANGKOK, FEB-
RUARY 25, 1898.)

PROTOCOL :

“1. The Siamese Government consent that Japanese Consular officers shall exercise jurisdiction over Japanese subjects in Siam until the judicial reforms of Siam shall have been completed, that is, until a Criminal Code, a Code of Criminal Procedure, a Civil Code (with exception of Law of Marriage and Succession), a Code of Civil Procedure, and a Law of Constitution of the Courts of Justice will come into force.”

RUSSIA,

1899.

(DECLARATION BETWEEN RUSSIA AND SIAM RELATIVE TO
COMMERCE AND NAVIGATION, &C.—SIGNED AT BANGKOK,
JUNE 11/23, 1899.)

“Que pour tout ce qui a rapport à la juridiction, au commerce, et à la navigation les sujets Siamois sur le territoire de la Russie et les sujets Russes sur le territoire du Siam jouiront dorénavant, jusqu’à l’expiration du présent Arrangement, de tous les droits et privilèges accordés aux sujets des autres nations, respectivement au Siam ou en Russie, par les Traités actuellement en vigueur, ainsi que par les Traités qui pourront être contractés dans l’avenir.”

DENMARK,

1858.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN DENMARK AND SIAM.—SIGNED AT BANGKOK,
MAY 21, 1858.)

(Ratifications exchanged at Bangkok, September 15,
1859.)

“X. Should a Danish subject be charged with any grave crime in the Kingdom of Siam, he shall be arrested by the local authorities and be punished by the Consul according to the laws of Denmark, or be transmitted by him to Denmark, to receive punishment on being found guilty. Should a Danish subject commit any minor offence or misdemeanour in Siam, he shall in like manner be arrested by the Siamese authorities, and, on proof of his guilt, the Consul will punish him, either by deportation or pecuniary mulct. If a Siamese be guilty of any crime or offence against a Danish subject, the offender shall be arrested by the local authorities, and made over to the severity of the laws of the kingdom.”

1905.

(CONVENTION BETWEEN DENMARK AND SIAM CONCERN-
ING THE REGISTRATION OF AND JURISDICTION OVER DANISH
SUBJECTS IN SIAM.—SIGNED AT BANGKOK, MARCH 24,
1905.)

(Ratifications exchanged at Bangkok, May 18, 1905.)

“VI. With regard to the jurisdiction to which in the future without any exception all Danish subjects in Siam will be subjected, the two Governments agree :

“(a)-1. In criminal matters if the offender be a Danish subject, he shall be tried and punished by the Danish Consular officer.

“2. In civil matters all actions brought by a Siamese against a Danish subject shall be heard before the Danish Consular Court. If the defendant is a Siamese, the action shall be heard by the Siamese Court for Foreign Causes.

“(b)-1. But all civil or criminal cases arising in the Provinces of Chiengmai, Lakhon, Lampon, Pray, and Nan, brought or instituted either by the Siamese Government or by Siamese or Foreign subjects, in which a Danish subject may be a defendant, and likewise all civil and criminal cases in which a Danish subject may be the plaintiff or complainant, the defendant being a person under Siamese jurisdiction, shall be heard before the Siamese International Court.

“2. In any of the cases mentioned in the last preceding paragraph, the Danish Consul shall have the right to be present at the trial or to be represented there by a duly authorized delegate, and to make any observations which he may deem proper in the interest of justice.

“3. In cases where the defendant is a Danish subject, the Danish Consul, may, at any stage of the proceedings, if he thinks proper, by means of a written requisition evoke the case before him. Such case shall be transferred to the Danish Consular Court, which shall from that time alone be competent to try the case, and to which the Siamese authorities shall be bound to give their assistance.”

(L. S.) DEVAWONGSE VAROPRAKAR.

(L. S.) A. E. OLAROVSKY.

1913.

(TREATY BETWEEN DENMARK AND SIAM DEFINING THE JURISDICTION TO BE EXERCISED OVER DANISH SUBJECTS IN SIAM.—COPENHAGEN, MARCH 15, 1913.)

(Ratifications exchanged at Bangkok, July 12, 1913.)

ARTS. I to VII INCLUSIVE :

“ART. I. The jurisdiction hitherto exercised in Siam by the Danish Consul or the Danish Consular Court is hereby transferred to the Siamese Government in accordance with the provisions of the following Articles:—

“II. In regard to the trial of cases, the two Governments have agreed to substitute the following in place of the provisions contained in the Convention of the 24th March, 1905:—

“All Danish subjects in Siam shall hereafter be subject to the jurisdiction of the ordinary Siamese Courts: provided that all Danish subjects registered at the Danish Consulate before the date of the ratification of this Treaty shall be subject to the jurisdiction of the Siamese International Courts under the conditions hereinafter defined.

“III. The jurisdiction of the International Courts shall extend:—

“1. In civil matters: to all civil and commercial matters to which Danish subjects shall be parties.

“2. In penal matters: to all branches of law of every kind, whether committed by Danish subjects or to their injury.

“IV. In cases in the International Courts where the defendant or accused is a Danish subject the Danish Consul may, at any time before judgment in the Court of First Instance, by means of a written requisition, evoke the case, if he shall think proper in the interests of justice.

“Such cases shall then be transferred for adjudication to the Danish Consul, who from this moment shall alone be competent and to whom the Siamese authorities shall be bound to give their assistance.

“The right of evocation in the International Courts shall cease to be exercised in all matters coming within the scope of codes or laws regularly promulgated, as soon as the text of such codes or laws shall have been communicated to the Danish Diplomatic Representative at Bangkok. There shall be an understanding between the Siamese Minister for Foreign Affairs and the Danish Diplomatic Representative at Bangkok for the disposal of cases pending at the time that the said codes and laws are communicated.

“V. Appeals against the decisions of the International Courts of First Instance shall be adjudged by the Siamese Court of Appeals at Bangkok.

“Notice of all such appeals shall be communicated to the Danish Consul, who shall have the right to give a written opinion upon the case to be annexed to the record.

“An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

“VI. The system of International Courts shall come to an end, and the jurisdiction of those Courts shall be

transferred to the ordinary Siamese Courts after the promulgation and the coming into force of all of the following Siamese Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure, and the law for the Organization of Courts.

“VII. In all cases brought before the ordinary Siamese Courts, as well as before the International Courts, Danish subjects shall enjoy, on similar conditions, equal rights and advantages with those which the Siamese Government has already granted or which it may grant to the citizens or subjects of any other nation.

“The benefit of the treatment of the most favored nation is, at the present moment, particularly extended:—

“1. To the right of the defendant or accused in any case arising in the provinces to apply for a change of venue to Bangkok.

“2. To the sitting of European legal advisers, either in the capacity of advisers or in the capacity of judges, in any of the different grades of Courts of either class.”

GERMANY,

1862.

(TREATY OF AMITY, COMMERCE, AND NAVIGATION, BETWEEN THE STATES OF THE GERMAN CUSTOMS AND COMMERCIAL UNION AND THE GRAND DUCHIES OF MECKLENBURG-SCHWERIN AND MECKLENBURG-STRELITZ, ON THE ONE PART; AND SIAM, ON THE OTHER PART.—SIGNED AT BANGKOK, FEBRUARY 7, 1862.*)

ART. X:

“X. If a crime or an offence be committed in Siam, and the offender be a subject of one of the Contracting German States, he shall be punished by the Consular officer in conformity to the respective German laws, or be sent to Germany for punishment. If the offender be a Siamese, he shall be punished by the Siamese authorities according to the laws of the country.”

*Signed also in the German and Siamese languages.

OTHER COUNTRIES.

The same provisions for jurisdiction over their nationals as that contained in the German Treaty of 1862 are contained in the Treaties of the following Powers :

Belgium, August 29, 1868;

The Netherlands, December 17, 1860;

Sweden and Norway, May 18, 1868;

Spain, February 23, 1870;

Austria, May 17, 1869.

II.

TAXATION.

GREAT BRITAIN.

1826.

(TREATY WITH THE KING OF SIAM, JUNE 20, 1826.)

ART. VI:

“Merchants subject to the Siamese or English, going to trade either in Bengal, or any other Country subject to the English, or at Bangkok, or in any Country subject to the Siamese, must pay the duties upon commerce according to the customs of the place or Country, on either side; and such merchants and the inhabitants of the Country shall be allowed to buy and sell without the intervention of other persons in such Countries.”

1855.

(TREATY OF FRIENDSHIP AND COMMERCE BETWEEN GREAT BRITAIN AND SIAM.—SIGNED AT BANGKOK, APRIL 18, 1855.)

(RATIFICATIONS EXCHANGED AT BANGKOK, APRIL 5, 1856.)

“VIII. The measurement duty hitherto paid by British vessels trading to Bangkok, under the Treaty of 1826, shall be abolished from the date of this Treaty coming into operation, and British shipping and trade will thenceforth be only subject to the payment of import and export duties on the goods landed or shipped. On all articles of import the duties shall be 3 per cent. payable

at the option of the importer, either in kind or money, calculated upon the market value of the goods. Draw-back of the full amount of duty shall be allowed upon goods found unsaleable and re-exported. Should the British merchant and the Custom-House officers disagree as to the value to be set upon imported articles, such disputes shall be referred to the Consul and proper Siamese officer, who shall each have the power to call in an equal number of merchants as assessors, not exceeding 2 on either side, to assist them in coming to an equitable decision.

“Opium may be imported free of duty, but can only be sold to the opium farmer or his agents. In the event of no arrangement being effected with them for the sale of the opium, it shall be re-exported, and no impost or duty shall be levied thereon. Any infringement of this regulation shall subject the opium to seizure and confiscation.

“Articles of export, from the time of production to the date of shipment shall pay 1 impost only, whether this be levied under the name of inland tax, transit duty, or duty on exportation. The tax or duty to be paid on each article of Siamese produce previous to or upon exportation, is specified in the Tariff attached to this Treaty; and it is distinctly agreed that goods or produce which pay any description of tax in the interior, shall be exempted from any further payment of duty on exportation.

* * * * *

“Bullion, or personal effects, may be imported or exported free of charge.”

1883.

(AGREEMENT BETWEEN GREAT BRITAIN AND SIAM, FOR REGULATING THE TRAFFIC IN SPIRITUOUS LIQUORS.— SIGNED AT LONDON, APRIL 6, 1883.)

ART. I:

“ART. I. Spirits of all kinds not exceeding in alcoholic strength those permitted to be manufactured by the Siamese Government in Siam may be imported and sold by British subjects on payment of the same duty as that levied by the Siamese excise laws upon spirits manufactured in Siam; and spirits exceeding in alcoholic strength spirits manufactured in Siam as aforesaid may be imported and sold upon payment of such duty and of a proportionate additional duty for the excess of alcoholic strength above the Siamese Government standard.

“Beer and wines may be imported and sold by British subjects on payment of the same duty as that levied by the Siamese excise laws upon similar articles manufactured in Siam, but the duty on imported beer and wines shall in no case exceed 10 per cent. *ad valorem*.

“The said duty on imported spirits, beer and wines shall be in substitution of, and not in addition to, the import duty of 3 per cent. leviable under the existing Treaties; and no further duty, tax, or imposition whatever shall be imposed on imported spirits, beer, and wines.

“The scale of excise duty to be levied upon spirits, beer, and wines manufactured in Siam shall be communicated by the Siamese Government to Her Majesty’s Agent and Consul-Agent at Bangkok, and no change in the excise duties shall affect British subjects until after the expiration of six months from the date at which such notice shall have been communicated by the Siamese Government to Her Majesty’s Representative at Bangkok.”

FRANCE,

1856.

(DECRET IMPÉRIAL PORTANT PROMULGATION DU TRAITÉ DE L'AMITIÉ, DE COMMERCE ET DE NAVIGATION, CONCLUE LE 15 AOÛT, 1856, ENTRE LA FRANCE ET LE SIAM.—PARIS, LE 28 DÉCEMBRE, 1857.)

“XVII. Moyenant l'acquiescement des droits d'importation et d'exportation mentionnés ci-après, les navires Français et leurs cargaisons seront affranchis, dans les ports Siamois, de toutes taxes de tonnage, de licence de pilotage, d'ancrage et de toute autre taxe quelconque, soit à l'entrée, soit à la sortie. Les navires Français jouiront de tous les privilèges et immunités qui sont ou seront accordés aux jonques et navires Siamois eux-mêmes, ainsi qu'aux navires des nations étrangères les plus favorisées.

“XVIII. Le droit à percevoir sur les marchandises importées par navires Français dans le Royaume de Siam n'excedera point trois pour cent de la valeur. Il sera payable en nature ou en argent, au choix de l'importateur. Si ce dernier ne peut tomber d'accord avec l'employé Siamois sur la valeur à attribuer à la marchandise importée, il devra en être référé au Consul de France et au fonctionnaire Siamois compétent, lesquels, après s'être adjoint chacun un ou deux négociants comme assesseurs, s'ils le jugent nécessaire, régleront l'objet de la contestation suivant l'équité.

“Après le paiement du droit d'entrée de trois pour cent, les marchandises pourront être vendues en gros ou en détail, sans avoir à supporter aucune charge ou

surtaxe quelconque. Si des marchandises débarquées ne pouvaient être vendues et étaient réexportées, la totalité du droit payé par elles serait remboursée à leur propriétaire. Il ne sera exigé aucun droit sur la partie de la cargaison qui ne sera point débarquée.

“XIX. Les droits à percevoir sur les marchandises d'origine Siamoise, soit, avant leur exportation sur les navires Français, soit au moment de cette exportation, seront réglés conformément au tarif annexé au présent Traité sous le sceau et la signature des Plénipotentiaires respectifs. Les produits soumis par ce tarif à des droits d'exportation seront affranchis de tout droit de transit ou autre dans l'intérieur du Royaume, et tout produit Siamois qui aura déjà acquitté une taxe intérieure ou de transit n'aura plus à supporter aucune taxe quelconque, soit avant, soit au moment d'être mis à bord d'un navire Français.

“XX. Moyennant l'acquiescement des droits ci-dessus mentionnés, et dont il est expressément interdit d'augmenter le montant à l'avenir, les Français seront libres d'importer dans le Royaume de Siam, des ports Français et étrangers, et d'exporter également, pour toute destination, toutes les marchandises qui ne seront pas, au jour de la signature du présent Traité, l'objet d'une prohibition formelle ou d'un monopole spécial.”

1867.

(CONVENTION ENTRE LA FRANCE ET LE ROYAUME DE SIAM, RELATIVEMENT À L'IMPORTATION DES VINS ET SPIRITUEUX DANS LE ROYAUME DE SIAM.—CONCLUE À PARIS, LE 7 AOÛT, 1867.)

(Ratifications échangées à Bangkok, le 24 Novembre, 1867.)

“ART. I. Les sujets Français pourront, moyennant l'acquiescement d'un droit d'entrée de 3 pour cent de la valeur, importer dans le Royaume de Siam, de quelque pays et sous quelque pavillon que ce soit, des vins et autres boissons fermentées, ainsi que toute espèce de boissons distillées.”

1883.

(ARRANGEMENT ENTRE LA FRANCE ET LE ROYAUME DE SIAM, RELATIVEMENT À L'IMPORTATION ET À LA VENTE DES BOISSONS EN SIAM.—SIGNÉ À PARIS, LE 23 MAI, 1883.)

(Ratifications échangées à Paris, le 12 Août, 1885).

ART. I:

“Les ressortissants Français pourront importer dans le Royaume de Siam, de quelque pays et sous quelque pavillon que ce soit, des boissons fermentées, ainsi que toute espèce de boissons distillées dont le titre alcoolique ne sera pas supérieur à 50 degrés, mesurés à l'alcoomètre de Gay-Lussac, moyennant l'acquiescement d'un droit d'entrée qui ne pourra être plus élevé que les droits intérieurs qui grèvent les boissons fermentées ou distillées d'origine Siamoise.

“Ils pourront également importer les spiritueux d’un titre supérieur à 50 degrés; mais ces boissons, tant qu’il ne sera pas fabriqué à Siam de spiritueux du même titre, pourront être soumises à un droit additionnel établi proportionnellement d’après le base adoptée pour les spiritueux d’un titre inférieur.

“En ce qui concerne les vins, le droit d’entrée ne pourra, dans tous les cas, excéder 8 pour cent de la valeur.”

UNITED STATES,

1833.

(TREATY OF AMITY AND COMMERCE BETWEEN THE UNITED STATES AND SIAM.—SIGNED AT SIA-YUT'HIA (BANGKOK), 20TH MARCH, 1833.)

(A Proclamation.—By the President of The United States of America.)

ART. III:

“Vessels of the United States entering any Port within His Majesty’s Dominions, and selling or purchasing Cargoes of merchandise, shall pay, in lieu of import and export duties, tonnage, license to trade, or any other charge whatever, a measurement duty only, as follows: The measurement shall be made from side to side, in the middle of the Vessel’s length; and, if a single-decked Vessel, on such single deck; if otherwise, on the lower deck. On every Vessel selling merchandise, the sum of 1,700 Ticals, or *Bats*, shall be paid for every Siamese fathom in breadth, so measured; the said fathom being computed to contain 78 English or American inches, corresponding to 96 Siamese inches; but if the Vessel should come without merchandise, and purchase a Cargo with specie only, she shall then pay the sum of 1,500 Ticals, or *Bats*, for each and every fathom before described. Furthermore, neither the aforesaid measurement duty, nor any other charge whatever, shall be paid by any Vessel of The United States that enters a Siamese Port for the purpose of refitting, or for refreshments, or to inquire the state of the market.

“IV. If hereafter the Duties payable by Foreign Vessels be diminished in favour of any other Nation, the same

diminution shall be made in favour of the Vessels of The United States.”

1856.

(TREATY OF PEACE, FRIENDSHIP, COMMERCE AND NAVIGATION, BETWEEN THE UNITED STATES AND SIAM.—SIGNED AT BANGKOK, MAY 29, 1856.)

ART. VII:

“The measurement duty hitherto paid by American vessels trading to Bangkok under the Treaty of 1833 shall be abolished from the date of this Treaty coming into operation, and American shipping or trade will thenceforth only be subject to the payment of import and export duties on the goods landed or shipped.

“On the articles of import the duty shall be 3 per cent., payable, at the option of the importer, either in kind or money, calculated upon the market value of the goods. Drawback of the full amount of duty shall be allowed upon goods found unsaleable and re-exported. Should the American merchant and the Custom-House officers disagree as to the value to be set upon imported articles, such disputes shall be referred to the Consul and a proper Siamese officer, who shall each have the power to call in an equal number of merchants as assessors, not exceeding 2 on either side, to assist them in coming to an equitable decision.

“Opium may be imported free of duty, but can only be sold to the opium farmer or his agents. In the event of no arrangement being effected with them for the sale of the opium, it shall be re-exported, and no impost or duty (shall be) levied thereon. Any infringement of this

regulation shall subject the opium to seizure and confiscation.

“Articles of export, from the time of production to the date of shipment, shall pay one impost only, whether this be levied under the name of inland tax, transit duty, or duty on exportation. The tax or duty to be paid on each article of Siamese produce previous to or upon exportation is specified in the tariff attached to this Treaty; and it is distinctly agreed that goods or produce that pay any description of tax in the interior shall be exempted from any further payment of duty on exportation. American merchants are to be allowed to purchase directly from the producer the articles in which they trade, and in like manner to sell their goods directly to the parties wishing to purchase the same without the interference in either case of any other person.

“The rates of duty laid down in the tariff attached to this Treaty are those that are now paid upon goods or produce shipped in Siamese or Chinese vessels or junks; and it is agreed that American shipping shall enjoy all the privileges now exercised by, or which hereafter may be granted to, Siamese or Chinese vessels or junks.

* * * * *

“Bullion or personal effects may be imported or exported free of charge.”

The United States has subscribed to a Spirituous Liquor Agreement similar to that with Great Britain, April 6, 1883.

ITALY,

1868.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN ITALY AND SIAM.—SIGNED IN LONDON, OCTOBER
3, 1868.)

“On all articles of importation, the duties shall be 3 per cent, payable, at the choice of the importer, in goods or in money, calculated on the mercantile or saleable value of the goods in the market. The whole of the duty will be returned on merchandise unsold and re-exported. If the Italian merchant and the Custom-House officers should not agree as to the value to be put upon the articles imported, the dispute shall be referred to the Legation or to one of the Italian Consulates, and a competent Siamese functionary. Each of them shall have a right to invite an equal number of merchants as assessors, not more than two on each side, in order to assist them to come to a just decision.

“Opium may be imported free of duty, but can only be sold to the opium farmer and his representatives; if no agreement can be made with them for the sale of the opium, it shall be re-exported, and no duty shall be levied on that account.”

* * * * *

“Articles for exportation, from the time of production to the date of loading, shall pay but one impost, whether it be levied under the name of inland tax, transit duty, or export duty. The tax or duty to be paid on each article of Siamese produce, before or at the time of the

exportation, is specified in the tariff annexed to the present Treaty; and it is understood that the goods or produce which pay any kind of tax in the interior shall be exempt from any other payment of export duties. Italian merchants shall be at liberty to obtain the articles of their commerce direct from the producer, and to sell their own goods direct to whom they please, and also to buy them without the intervention of any other person in either case.

“If there should be articles of exportation not included in the tariff of duties, upon which the Siamese Government may consider it expedient to impose a tax or duty, the said Government shall be free to levy such tax or duty, provided that it be just and reasonable.”

Italy has subscribed to a Spirituous Liquor Agreement similar to that with Great Britain, April 6, 1883.

PORTUGAL,

1859.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN PORTUGAL AND SIAM.—SIGNED AT BANGKOK,
FEBRUARY 10, 1859.)

“XXV. The import duties payable on foreign merchandize in the ports of the Kingdom of Siam by Portuguese ships will never exceed 3 per cent. of the value, which will be paid either in money or in goods at the choice of the importer. In case of disagreement between the importer and the Siamese officials as to the value at which the merchandize should be assessed, the question will be submitted for the decision of the Consul and of the competent Siamese functionary, who may each name two merchants as arbitrators if they consider it desirable to do so. After payment of the said duty of 3 per cent. the imported merchandize may be sold in any part of the Kingdom of Siam wholesale or retail, without being subject to any further payment of duty. Merchandize which is not disembarked will pay no duty, and the importer will be repaid any duty which he may have paid on merchandize which he re-exports.

“XXVI. The duties to be levied on merchandize of Siamese production, either before its exportation in Portuguese ships or at the time of exportation, will be regulated by the Tariff annexed to this present Treaty, signed and sealed by the respective Plenipotentiaries. The articles of produce which are subject to payment of the duties indicated in the said Tariff, will, by this fact,

be freed from any transit or other dues which they would otherwise be subject to in the interior of the kingdom. In the same way, any Siamese produce which may have paid any interior tax or transit due will not be subject to further duties, before or at the time of shipment on any Portuguese vessel."

Portugal has subscribed to a Spirituous Liquor Agreement similar to that with Great Britain, April 6, 1883.

JAPAN.

1898.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN JAPAN AND SIAM.—SIGNED AT BANGKOK, FEB-
RUARY 25, 1898.)

(Ratifications exchanged at Bangkok, May 31, 1898).

ART. V-VIII:

“V. The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other a perfect equality of treatment with the subjects or citizens of the most favoured nation in all that relates to transit duties, warehousing, bounties, facilities, the examination and appraisement of merchandise and drawbacks.

“VI. No other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of Siam of any article the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article the produce or manufacture of the dominions and possessions of His Majesty the King of Siam, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and

possessions of either of the High Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

“VII. No other or higher duties, taxes, or charges of any kind shall be imposed in the dominions and possessions of either of the High Contracting Parties in respect of any article exported to the dominions and possessions of the other than such as are or may be payable in respect of the like article exported to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country.

“VIII. * * * * *

“In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same internal and export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or Siamese vessels or in vessels of a third Power, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.”

PROTOCOL.

"2. The Japanese Government accept as binding upon Japanese subjects and vessels resorting to Siam the Trade Regulations and Customs Tariffs now in force in Siam in respect of the subjects, citizens, and vessels of the other Powers having Treaties with Siam.

"Such Regulations and Tariffs shall be subject to revision at any time upon twelve months' previous notice, on demand of either Japan or Siam."

1898.

(NOTES. TRAFFIC OF SPIRITUOUS LIQUORS IN SIAM, JAPANESE LEGATION, BANGKOK, FEBRUARY 25, 1898:)

"February 25, 1898."

"M. LE MINISTRE,

I have the honour to communicate to your Royal Highness the following proposals, which the Imperial Government hope will be accepted by the Royal Government: that as the Japanese Government is ready to give their adhesion to the arrangements concluded by Siam with the several Treaty Powers in 1883, 1884 and 1885 for the regulation of the traffic in spirituous liquors, and also to agree to the Laws of 1887, designed to carry those arrangements into full effect, the Siamese Government on their part will engage that the Japanese subjects shall at all times enjoy the same right and privileges in regard to the importation and sale of spirits, beer, wines, and spirituous liquors in Siam as the subjects or citizens of the most favoured nation; that spirits, beer, wines, and spirituous liquors imported into Siam from Japan shall enjoy

the same privileges in all respects as similar articles imported from the most favoured nation; and that the exception contained in section 4 of said Law in favour of wine and beer made in Europe and in the United States of America shall equally apply to wine and beer made in Japan.

I avail, &c.,

MANJIRO INAGAKI."

"To his Royal Highness

KROM LUANG DEVAWONGSE VAROPRAKAR,

H. R. S. M's Minister for Foreign Affairs."

"FOREIGN OFFICE, BANGKOK,

February 25, 1898."

"M. LE MINISTRE,

I have the honour to acknowledge the receipt of your note of this day's date relating to the traffic of spirituous liquors in Siam, and I am happy to state that His Majesty's Government accept the proposals of the Imperial Government of Japan as contained in your note under reply.

I avail, &c.,

DEVAWONGSE VAROPRAKAR,

Minister for Foreign Affairs."

"MANJIRO INAGAKI, Esq.,

Minister Resident for Japan."

DENMARK,

1858.

(TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION,
BETWEEN DENMARK AND SIAM.—SIGNED AT BANGKOK,
MAY 21, 1858.)

(Ratifications exchanged at Bangkok, September 15,
1859.)

“XVIII. By paying the duties of importation and exportation, as after mentioned, Danish vessels and their cargoes shall be free in Siamese ports of all taxes of tonnage, pilotage, anchorage, and of any other tax whatever, either on their arrival or on their departure. Danish vessels shall enjoy all privileges and immunities which are or shall be granted to junks and to Siamese vessels themselves, as well as to the vessels of the most favoured nations.

“XIX. The duties to be levied on merchandize imported by Danish vessels into the Kingdom of Siam, shall not exceed 3 per cent. on their value. They shall be paid in kind or in money, at the choice of the importers. If the importer cannot agree with the Siamese officer as to the value of the imported merchandize, a reference shall be made to the Consul of Denmark and a competent Siamese functionary, who, after having each called in for consultation one or two merchants as advisers, if they shall think it necessary, shall settle the difference according to justice.

“After the payment of the said import duty of 3 per cent. the merchandize may be sold by wholesale or retail,

free of any other tax or charge whatsoever. Should merchandize be landed and not sold, and be again shipped for exportation, the whole of the duties paid on them shall be reimbursed. No duty shall be levied on any cargo not sold. And no further duty, tax or charge shall be imposed or levied on such imported merchandize when it has passed into the hands of Siamese purchasers.

“XX. The duties to be levied on Siamese produce, either before or at the time of shipment, shall be according to tariff, annexed to the present Treaty. Every article of produce subject by the tariff to duties of exportation shall be free of any duty of transit, or any other duty in any part of the Kingdom; and all Siamese produce which shall have been already taxed either for transit, or for any other cause, shall be no more taxed either under the tariff hereto annexed, or in any way whatever before or at the time of shipment.

“The Siamese Government reserves to itself the right, at any time hereafter, to impose a single tax or duty upon any article which is, or may become a production of Siam, and which is not specified in the annexed tariff, or at present subject, either directly or indirectly, to a Governmental charge of any kind, but the Siamese Government agrees that the said tax or duty, if levied shall be just and reasonable.”

Denmark has subscribed to a Spirituous Liquor Agreement similar to that with Great Britain, April 6, 1883.

GERMANY,

1862.

(TREATY OF AMITY, COMMERCE, AND NAVIGATION, BETWEEN THE STATES OF THE GERMAN CUSTOMS AND COMMERCIAL UNION AND THE GRAND DUCHIES OF MECKLENBURG-SCHWERIN AND MECKLENBURG-STRELITZ, ON THE ONE PART; AND SIAM, ON THE OTHER PART.—SIGNED AT BANGKOK, FEBRUARY 7, 1862.)

ARTS. XVIII—XX:

“XVIII. By paying the import and export duties mentioned hereafter, vessels belonging to one of the Contracting German States, and their cargoes shall be free in Siam of all dues of tonnage, pilotage, and anchorage or other dues whatsoever, as well on their arrival as their departure. They shall enjoy all privileges and immunities which are or shall be granted to junks, Siamese vessels, or vessels of the most favoured nation.

“XIX. The duties to be levied on merchandize imported into the Kingdoms of Siam by vessels belonging to any of the Contracting German States, shall not exceed 3 per cent. on their value. They shall be paid in kind or in money at the choice of the importer. If the importer cannot agree with the Siamese Custom-House officers as to the value of the merchandize imported, the matter shall be referred to the Consular officer and a competent Siamese functionary, who, if they consider it necessary, will each invite one or two merchants to act as advisers, and will settle the difference according to justice.

“After payment of the said import duty of 3 per cent., the merchandize may be sold by wholesale or retail, free of any other charge whatsoever. Should goods be landed and not sold, and be again shipped for exportation, the whole of the duties paid on them shall be reimbursed; and in general no duty shall be levied on any cargo not sold. Nor shall any further duties, taxes, or charges be imposed or levied on imported goods, after they have passed into the hands of Siamese purchasers.

“XX. The duties to be levied on Siamese produce either before or at the time of shipment, shall be according to the tariff annexed to the present Treaty. Every article of produce subject to duties of exportation according to this tariff shall be free of all transit and other dues throughout the whole Kingdom of Siam; and it is likewise agreed, that no Siamese produce which shall have paid transit or other dues, shall be subject to any tariff duty or other charge whatsoever, either before or at the time of shipment.”

The German States have subscribed to a Spirituous Liquor Agreement similar to that with Great Britain, April 6, 1883.

OTHER COUNTRIES.

The same provisions for regulation of import and export duties as those contained in the German Treaty of 1862 are contained in the Treaties of the following Powers:—

Belgium, August 29, 1868.

The Netherlands, December 17, 1860.

Sweden and Norway, May 18, 1868.

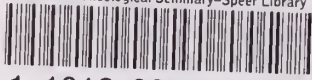
Spain, February 23, 1870.

Austria, May 17, 1869.

These Powers have also subscribed to a Spirituous Liquor Agreement similar to that with Great Britain, April 6, 1883.

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